# INSTRAW NEWS

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# HUMAN RIGHTS

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*The views expressed are those of the authors and do not necessarily reflect those of the United Nations or INSTRAW.*

# Gender Equality and Human Rights

EDITORIAL

*This issue of INSTRAW News is dedicated to commemorating the 50th anniversary of the Universal Declaration of Human Rights, which was adopted by the United Nations in 1948–the first major human rights document to explicitly mention that human rights should not be denied on the basis of "sex."*

*Our lead article in this issue argues that there is a good chance that the next century will bring marked progress on the long journey to gender equality and human rights. It attributes this optimism to four positive factors that seem to be enhancing the equality of women and the public perception that this is a good thing for humanity.*

*First, although many Third World nations still struggle to develop beyond a farming base into an industrial one, the industrialized countries are moving into a new kind of technology and economy –one based on information and biogenetics. This shift in the way these societies "make their living from the planet" is expected to lead to momentous changes– as it did in the past, when the dominant "techno-economic base" changed from hunting and gathering to horticulture (based on the hoe) to agriculture (based on the plow) to the rise of a capitalist industrial world system which now encircles the globe. One major result of this "powershift" to an information society (as Alvin Toffler (1989) describes it) is that it is creating more –and better– jobs for women; another is that women have greater access to information as a source of power.*

*The second factor is related to the first. Worldwide, more and more women are earning income (even though much of it still is excluded from national accounts statistics, which are based on a 19th century male view of what is work and what is not). It turns out that for women, earning income may be as important a development as the emergence of a globalized "information economy" may be for our world system. The lead article presents arguments and empirical data indicating that for women, the most important determinant of their level of gender equality and favourable life options and treatment is their relative control of economic resources –at levels ranging from the heterosexual couple all the way to the State. With increased income for women comes enhanced self-confidence, more say in household decision-making, more control over fertility, and a greater likelihood of organizing on their own behalf.*

*Third, women increasingly **are** organizing on their own behalf. Periodic world conferences bring more and more women together –more than 40,000 attended the Fourth World Conference on Women in Beijing in 1995 and attendance has more than doubled at every conference since the first one in 1975. These increasingly well-organized women can exchange strategies and use the technology of the information society to network and promote common goals.*

*Fourth, prodded by these increasing numbers of well-organized, networking women, a public discourse is being created that promotes the mainstreaming of women's rights as well as the promotion of their equality. This public discourse encompasses the international agencies, including the United Nations, the media, the increasingly vocal and influential non-governmental organizations (NGOs, many of them women-run and focused on aspects of gender equality, including equal human rights), and even governments.*

*This discourse is backed by a growing number of international treaties passed by the United Nations and ratified by more and more Member States. These covenants promote more equal rights for all though, thus far, they lack the teeth of enforcement mechanisms. Four of the most recent documents affecting gender equality and human rights of women are worth citing.*

## Convention on the Elimination of All Forms of Discrimination Against Women

*Prior to the Vienna Declaration, the most important treaty affecting women was the "Women's Convention" (the Convention on the Elimination of All Forms of Discrimination Against Women), which went into effect in 1981. By 1997, it was ratified by 160 governments.*

## Vienna Declaration and Programme of Action

*The most important step toward women achieving equal human rights is arguably the 1993 Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights in Vienna in June 1993 (UN Doc.A/Conf.157/23 1993). Prior to this Declaration, in the two century history of the world human rights movement beginning with the United States Bill of Rights and the French Declaration of the Rights of Man and Citizen, the "human rights establishment" professed a "gender-neutrality" that promoted the exclusion of one of those genders– women. But Part I, Para. 18 of the 1993 Vienna Declaration proclaimed:*

> *"The human rights of women and of the girl child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community."*

## Declaration on the Elimination of Violence Against Women

*Also in 1993, the United Nations further added to world human rights via the Declaration on the Elimination of Violence Against Women. Declarations are not legally binding –as are Conventions, which constitute international treaties– but they represent international consensus on government obligations. In short, this is the first step toward making the prohibition of violence against females a fundamental human right. And the Declaration is the first such international instrument to extend the domain of human rights from the public sector to the private sphere of the family.*

## Platform for Action

*Finally, in 1995, the Platform for Action of the Fourth World Conference on Women reaffirmed "the fundamental principle set forth in the Vienna Declaration...that the human rights of women and of the girl child are an inalienable, integral and indivisible part of universal human rights. As an agenda for action, the Platform seeks to promote and protect the full enjoyment of all human rights and the fundamental freedoms of all women throughout their life cycle" (United Nations DPI/1766/Wom 1996). [Editor's note: INSTRAW News will be following up on this life cycle approach. Our next issue will focus on gender issues –including human rights and fundamental freedoms– at all stages of life from childhood to the "third age," with an emphasis on the latter.]*

*While these four documents represent progress, there are also some dark clouds on the "women and human rights" horizon. The most disturbing is the trend toward defining identity –and rights– on the basis of community membership rather than on the basis of the individual. In the push to grant peoples the right to speak their language, practice their beliefs and carry on their culture, Yakin Ertürk, the Director of INSTRAW, argues:*

> *[I]t must not be forgotten that cultures, traditions, and religions are not gender neutral. Forced marriages, involuntary virginity tests, honour killings, and female genital mutilation are just some examples of severe transgressions on the human rights of women, which are legitimized on the grounds of culture.*
> *How far are we willing to go in dismissing such violations as not being human rights issues because they are claimed to be "someone's culture"? "Women's rights have no cultural boundaries" was one of the themes strongly expressed at the NGO Forum of the Fourth World Conference on Women in Huairou. This theme must be placed at the centre of our understanding of the human rights of women (See Message from the Director in this issue).*

*In our increasingly interconnected global system, "the whole world is watching" and the burgeoning public discourse on gender and human rights is putting pressure on even the most recalcitrant patriarchal states. There is historical evidence that until the rise about 6,000 years ago of what Riane Eisler's The Chalice and the Blade (1987) terms "dominator societies" characterized by warfare, patriarchy, oppression and rapacious environmental stewardship, humans lived in generally egalitarian "partnership societies" characterized by the opposite traits. Interestingly, we are finding that where women have greater power, they tend to adopt a partnership rather than a dominator model.*
*Considering the challenges of the next millennium –from global warming and unsustainable development to ethnic conflict in fracturing states to nuclear proliferation to persistent poverty and inequality among far too many peoples– partnership would seem to be a model much more likely to result in sustainable solutions. Achieving gender equality and equal human rights doubles the solution capacity of the human race.* ■

# MESSAGE from the Director

We have prepared this issue of INSTRAW News as a contribution to the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights. This initiative is motivated, on the one hand, by our firm belief in the progressive principles of the Declaration which proclaims human rights for all; and on the other hand, by our concern for the persisting gap between the articulation and implementation of human rights as an inclusive and universal discourse.

Respect for human rights is, no doubt, one of the most highly regarded values and goals of our time. It is the fundamental building block on which democracy can be established. Likewise, it is only within the context of a democratic way of life that human rights can be upheld. Like the latter concept, human rights initially emerged as a consequence of the need to conceptualize and define the relationship between "man" and the state.

In the course of history, as the excluded groups entered the realm of politics, the definition of "man" has been contested and expanded to include ever-growing categories of people. It is this progressive process of change towards a broader understanding of democracy and human rights that has enabled societies to address and respond to new contexts and emerging forms of consciousness. This has made the belief in and the struggle for human rights for all a viable one. One area, however, has been most resistant to change: that is the structure of unequal gender relations. Gender inequality continues to endanger the possibilities for sustainable equality, development and peace.

The concern in the persisting gap between the articulation and implementation of human rights as it applies to women is a common one among human rights advocates. This gap emanates from the subordinate position attributed to women in what is still predominantly a patriarchal world. The manifestation of women's position and the resulting violations of their rights are revealed in different forms throughout the world. Whether in the countries of the North or those in the South, being a woman continues to constitute a life-threatening risk. Violence and the threat of it at home, at work, or on the street; at times of "peace" or at times of war, determine the conditions of women's life and violates their human rights.

Despite the difficulties, women's voices are making an impact. Decades of United Nations World Conferences on women and extensive campaigns and advocacy initiated by women's groups all over the world, have brought the traditionally private issue of domestic violence to the forefront of public opinion, thus, making states aware if not totally responsive. Many governments have passed strong legislation to regulate the violation of rights within the home. In some countries, the issue is at the centre of current political debate and negotiation but unfortunately many others still maintain the traditional notion of the private sphere and thus, perpetuate the denial of reality.

While progress is slowly being achieved in such long-lasting areas of concern in terms of women's rights, changing global patterns are generating new threats to the rights of women in particular, and the human rights discourse, in general. Two of the emerging areas warrant particular attention:

1. The trend towards defining identity on the basis of community membership rather than on the basis of the individual. This shift in focus is central to the approach of some human rights advocates, who maintain that people around the world are denied the right to speak their language, practice their beliefs, and engage in the requirements of their culture. It is, no doubt, well grounded that the rights of communities and collective cultural entities occupy the

agenda of human rights concerns. However, it must not be forgotten that cultures, traditions and religions are not gender neutral. Forced marriages, involuntary virginity tests, honour killings, and female genital mutilations are just some examples of severe transgressions on the human rights of women, which are legitimized on the grounds of culture.

How far are we willing to go in dismissing such violations as not being human rights issues because they are claimed to be "someone's culture"? "Women's rights have no cultural boundaries" was one of the themes strongly expressed at the NGO Forum of the Fourth World Conference on Women in Huairou. This theme must be placed at the centre of our understanding of the human rights of women. The examination of women's rights as human rights, "...may serve as a litmus test for the question that human rights advocates and governments must face in the twenty-first century: Does the right to preserve culture and religious practices take precedence over human rights norms? If so, is the very concept of international (universal) rights inappropriate in a multicultural world in which values and practices differ from place to place".[1]

Respect for cultural diversity without endangering an engendered human rights agenda is a challenge that needs to be embraced with determination and commitment if the Universal Declaration of Human Rights is to become a reality.

There is yet another dimension to the growing impact of identity politics based on cultural/ethnic differences. Such discourses are inherently exclusionary and potentially conflict ridden. The recent atrocities of tribal and ethnic cleansing in various parts of the world are too revealing of the threats on equality, development and peace,[2] leaving little room for optimism as the 21st century approaches.

2. The second area requiring special attention is the lack of sufficient legal and institutional infrastructure to provide social contract at the international level in order to address the violation of human rights of women resulting from temporary/seasonal labour migrations of women across national boundaries, displacements caused by environmental disasters and political strife, among others. "National" states are undoubtedly the ones who are obligated to expand the conditions of citizenship to be equally inclusive of all their citizens so that the underlying factors that leave women so vulnerable are minimized and eliminated. However, given that globalization is, on the one hand, increasingly favouring temporary labour migration of women and increasing the possibilities of dispersed armed conflict, and on the other hand, undermining the capacity of national states to serve the "common good", violence against women across borders can be expected to intensify in the future.

Therefore, expanding the existing ILO labour agreements, fully enforcing the Convention on the Elimination of All Forms of Discrimination Against Women, endorsing the Declaration on the Elimination of Violence Against Women and adopting other international instruments to provide minimum standards for the rights of women, the girl child and the older women, who are displaced or are compelled to leave their homes and families in search of alternative means of ensuring the sustenance of their families, is an urgent task of the international community.

The changing global conditions carry many contradictions for women. These changes embody equally strong tendencies either towards greater subjugation or greater

[1]Peters, J. and Wolper, A., eds. *Women's Rights Human Rights: International feminist perspectives*. Routledge: London. 1995.

[2]Ertürk, Yakin. "From the 'Cold War' to the 'Hot Peace': Women at the Centre of Conflict." In *Women and Human Settlements in Conflict Zones*. Proceedings from *Second UN Conference on Human Settlements Habitat II*, 11 June 1996, INSTRAW: 25-33.

emancipation of women. To ensure that history takes the latter route requires better knowledge through comparative research, better analysis, better dialogue, better policy and better action. INSTRAW is committed to conducting policy research, which will contribute to this end by bridging the gap between top-down policy initiatives and bottom-up demands made by women. We welcome our readers to engage in a dialogue with us so that we may enlarge our network in reaching a wider range of women's voices around the world.

Last but not least, it must be emphasized that the violation of human rights of women is not about women but rather about patriarchal gender relations. INSTRAW holds the view that transforming unequal gender structures requires a focus on men's role and an examination of the existing understandings of masculinity that reproduces gender inequality. Restructuring gender roles to achieve an all inclusive human rights discourse will undoubtedly be the agenda for the next millennium. ■

Yakin Ertürk
Director

*Secretary-General Boutros Boutros-Ghali presents a medal to Ms Minerva Bernardino, Ambassador Ad-vitam of the Dominican Republic and a signatory of the United Nations Charter in 1945.*

## IN MEMORY OF **Minerva Bernardino**

**7 May 1907 - 28 August 1998**

INSTRAW is deeply saddened by the recent loss of Ms Minerva Bernadino former Ambassador of the Dominican Republic to the United Nations. Throughout her lengthy diplomatic career which began in 1926, she was very dedicated in her work towards achieving women's rights and eliminating discrimination against women. Ms Bernardino was one of only four women who signed the Charter of the United Nations in San Francisco in 1945. That same year, she was instrumental in changing the name of the Declaration of the 'Rights of Man' to the Declaration of Human Rights. During her career she also served as Chair of the Commission on the Status of Women and First Vice-President of the Economic and Social Council. An active member of the Inter-American Commission for Women since the early 1930s, she later received recognition as Counsellor Emeritus from this organization. INSTRAW mourns the loss of a most ardent supporter of women's rights and the advancement of women.

# Gender Equality is a Human Right

## Empowerment, Women and Human Rights
## PAST, PRESENT AND FUTURE

by Rae Lesser Blumberg*

### *Introduction: Approaching the Rights of Woman, Man and Citizen*

In 1995, just before some 40,000 women (and some men) gathered in Beijing, China, for the Fourth World Conference on Women, Ruth Sivard published the second edition of *Women: A World Survey*. Her summary of progress since 1985 bears repeating:

> There are many numerical signs of women's global progress over the past ten years. Most auspicious of all may be the [sizable] advances in education[al enrollments]...and in the literate population. In the economy, too, women have made gains, and are now venturing into new fields both as entrepreneurs and as employees. In health services, overall improvement is represented by rising life expectancy, greater access to family planning, and declining fertility rates. But the signs of barriers breaking down are less easily found. In no country or major field have women yet reached equality with men... What is developing worldwide, however, is an intangible but critical factor that is less measurable in numerical terms. *It is an awareness and acceptance of the fact that women's equality is a human right* (Sivard 1995:5, emphasis added).

Let us take Sivard one step farther and focus on gender equality and equal rights. This permits us to concentrate primarily on "women's equality [as] a human right" while also taking into account the dimensions of class and race/ethnicity. Gender equality and rights, in practice, do not necessarily correspond to the lofty pronouncements of law and are affected by the specific location of the people in question in "social space." A man who is poor and landless has less equality and *de facto* rights than a man of higher social class, regardless of what the law may allow. Similarly, a woman from an ethnic group fighting for greater autonomy may find that even the flimsy protections afforded by the nation-state in which she lives do not apply to her: if the male leaders of her group take the position of their women as a cultural marker, she may find herself fighting for a victory for her ethnic group that will result in a greater loss in her own rights and freedoms. Unequal gender structures aside, both the man and the woman's rights position would be further affected by the specific time, country, culture, religion and region in which they live.

Within a broader "gender equality and human rights" framework, this article will focus mainly on women. The notions that "women's rights are human rights," and, indeed, that "gender equality is a human right" took a big step forward at the 1993 World Conference on Human Rights in Vienna. The human rights establishment deviated from its long tradition of ignoring or dismissing women's rights (under the guise of 'gender neutrality'), and explicitly referred to them as an "inalienable, integral...part of universal human rights" (The Vienna Declaration and Programme of Action, Part I, Para 18). Actually, the modern history of "human rights" dates back to the Declaration of the Rights of Man and Citizen (written in France in 1789). But women were excluded from the 1789 Declaration of the Rights of Man and Citizen, so in 1791, Olympe de Gauges

*University of Virginia

published the Declaration of the Rights of Woman and Citizen. And while the Declaration of the Rights of Man continues to be hailed as the "basis of human rights," the Declaration of the Rights of Woman was never adopted, let alone implemented (Tomasevski 1993:3). Meanwhile, *women's* human rights continued to be almost totally ignored by the human rights establishment until 1948.[1]

Spurred by Eleanor Roosevelt and some Latin American women activists in 1948, the Universal Declaration of Human Rights added gender to its list, proclaiming: "Everyone is entitled to all the rights and freedoms...without distinction of any kind, such as race, colour, sex..." (in Tomasevski 1993; emphasis added). But not until the 1970s and the "second wave" of a resurgent women's movement did the human rights of women attain global attention. Until then, the only successful campaigns for women's rights –involving the vote and the protection of motherhood– did not use the terminology of either human rights or gender equality. The remainder of this article traces gender equality and human rights through past, present and future.

## *The Past: Tracing Women's Rights and Freedoms*

Tomasevski (1993:xii) argues that "The obvious starting point to discuss women's human rights is to outline their history. This is, however, virtually impossible. Women's rights are confined to the footnotes of history." I suggest, however, that there is enough material in those footnotes so that we can indeed begin by examining history.

A brief swing through human evolutionary history reveals an early period of male-female partnership and general equality in rights and freedoms. In much of the world, this was followed by a descent into nearly 6,000 years of patriarchy in which women's rights and freedoms hit their historical low point. In contemporary times, slowly at first, and more rapidly as the second half of the 20th century progressed, women are making up lost ground and pioneering new rights.

In order to understand why this occurred, we have to examine two sorts of information–an overview of how humans have subsisted on Earth throughout our evolutionary history, and a theory of gender stratification that attempts to account for the level of equality (or inequality) between women and men in any given human group.

•**Concerning our human history**, we have to understand that through some 4.4 million years of hominid history and some 100,000-200,000 years of the history of our kind of humans, *homo sapiens sapiens*, we have had only a very few ways of making our living from the planet. These ways can be termed the "techno-economic base" of any society. And the "mainline" of human evolutionary history indicates that there have been only four major techno-economic bases in all that time, although we now seem to be plummeting headlong into a fifth.

Specifically, we have lived in:

1. *hunting-and-gathering societies* (i.e., as generally nomadic foragers);

2. *horticultural societies* (based on shifting cultivation carried out with a hoe or digging stick);

3. *agrarian societies* (based on the plow and permanent cultivation, involving either rainfed ("dry") or irrigated ("wet") farming);

4. *industrial societies*, and now, the most advanced industrial societies are careening into

5. *societies based on information and biogenetic technology* (Lenski and Nolan, 1998; Toffler 1989; Blumberg 1978). Passing from one stage to another is a complex process of transformation, not some

[1] In 1792, Mary Wollstonecraft wrote *A Vindication of the Rights of Woman*, which was aimed at extending John Stuart Mills' vision of human rights to the other half of humanity. Unfortunately, it also had little immediate impact on women's rights. No discussion of "foundation documents" of human rights is complete without mention of the Bill of Rights of the Constitution of the United States of America (the first ten Amendments), which was adopted in 1791 –and also fails to mention women.

sort of unilineal, inevitable evolution. Only about a dozen foraging groups survive, all in mortal danger of losing their last remnants of ecological niche. But since the rise, spread and globalization of capitalism, surviving horticultural and agrarian-based societies have become pastiches of several techno-economic bases, with a modern, industrial –or even information– sector emerging beside the original farming base. This base is itself also being transformed to varying degrees by our increasingly global economy.[2]

Every time the techno-economic base shifts, so, too, do most other aspects of the society. In particular, the relationships of production change, thereby affecting the sphere of reproduction, as well as the levels of socioeconomic stratification and gender stratification; the family and kinship systems; the political, legal and religious systems, and what are viewed as rights and freedoms for different subgroups of the population.

**•Concerning gender stratification**, if we look at the extent of gender equality and the relative rights and freedom of women and men in these different techno-economic bases, we can see a strong pattern emerging. For women, the most important source of power and the strongest predictor of their level of equality, rights and freedoms is their relative control of economic resources at a variety of "nested" levels ranging from the couple to the State (Blumberg 1984, 1991, 1994). Let us now re-examine women's relative equality vis-à-vis men throughout history in terms of the extent of women's economic power – their relative control of economic resources (e.g., income, land) in comparison with men.

**•Hunting and gathering.** In foraging societies, women predominate in gathering (which provides 60-80% of the diet except at Arctic latitudes), while men are the primary hunters. But both have about equal control over the means and fruits of their production and there is little gender inequality in most such societies (see, e.g., Draper 1974; O'Kelley & Carney 1987). In fact, because of their nomadism and the need to share food in order to smooth out fluctuations in the food supply –100% of foraging groups studied practiced sharing– there is also very little socioeconomic inequality (Lenski and Nolan 1998). If we can visualize a "50-50 line" of gender equality, women in the average foraging society approach that line in most dimensions of life– including rights and freedoms. Foragers tend not to consciously distinguish and codify their vision of human rights, but women have as much a right to shared food as men, as much freedom of movement and, in most, as much right to contribute to group decision-making processes.

> "Everyone is entitled to all the rights and freedoms... without distinction of any kind, such as race, colour, sex..."

**•Horticultural societies.** These tend to be the most "feminized" with respect to who does more of the most important productive work: of the world's 376 well-studied horticultural societies (the great majority in sub-Saharan Africa)[3] men are

[2] For example, in 1994 I carried out research on economic transformation in Nepal. In the small, fairly remote city of Gurkha, I found that almost all the young men who attended our group meeting of members of the Cottage and Small Industry Association were software writers working on subcontract for Indian firms!

[3] In areas characterized by thin tropical soils, it may not be possible to change from horticultural to agrarian methods of cultivation. Fairly deep soils are required for use of the plow – the defining characteristic of agrarian societies. The soils under the world's tropical rainforests tend to be thin, acidic and easily leached. This is a major reason why high proportions of sub-Saharan Africa, the Amazon Basin, and the "hill tribes" living in rainforests in Southeast Asia continue to rely on "slash and burn" horticultural cultivation.

the principal farmers in less than one-fifth (Murdock 1967; see also Baumann 1928; Boserup 1970; Bryson 1981). But the extent to which women enjoy equality in horticultural societies varies not with how much farming they do but, rather, with the extent to which they control key economic resources (e.g., acquire land and/or small animals, trade in the market on their own account, etc.). In general, however, we can say that horticultural societies tend to be more stratified socioeconomically and with respect to gender than foraging societies but less stratified –by far– than most agrarian societies.

**•Agrarian societies.** Agrarian states based on rainfed agriculture typically represent the low point of both human freedom and rights and, especially, gender equality. Most of the world's great agrarian empires in Europe and Asia fit this category. In a nutshell, most women made a fairly low contribution to major productive activities and had almost no way of acquiring economic resources in their own right, while, at the same time, the kinship and family system awarded most property to men. Women's virtual exclusion from economic power seems to have contributed to their low position with respect to political, religious, ideological and legal rights. There is one big gender difference between patriarchal rainfed agrarian societies (e.g., preindustrial Europe, Persia, and the north of India and China) and patriarchal irrigated agrarian societies (e.g., Japan, Korea, and the south of India and China). All the latter kind of society grow rice, which is such a labour-intensive crop that everyone –men, women, children and animals– work in key productive activities. But unless those women gain control over economic resources in their own right, they are essentially serfs working on their husband's land. That such hard-working women gain so little shows us that "mere work" is not enough for women to gain equality, rights and freedoms. It is not work, nor even ownership of economic resources that enhances women's level of equality, but rather control over such resources.[4]

**•Industrial societies.** The rise and expansion of capitalism created the world system under which we all now live (Wallerstein 1974). In a matter of only 300-400 years, capitalism led to the reorganization of Europe, a wave of colonial expansion that engulfed much of the world's surviving foraging, horticultural and agrarian societies, and the industrial revolution.

The rise of capitalist industrial societies in the last couple of centuries has seen more and more women entering the paid labour force, i.e., earning income in their own right. Few of these women turn over all their earnings to husband or parents. And to the extent that they don't, they begin to enhance their self-confidence, their "voice and vote" in a variety of family decisions, and their overall level of power in the family (Blumberg 1984, 1991).

This is not to say that relative economic power is the only factor affecting male-female equality. Two other sets of influences, which I term (1) macro level and (2) micro level "discount factors," enable us to take sociocultural systems and ideology into account. Basically, the idea is that because of these factors, a dollar earned by a woman may not give her a "dollar's worth of economic power" –she may get less (or occasionally more) leverage depending on the specific discount factors involved. At the macro level, the discount factors are always negative, although the amount varies from one

[4]There are a few irrigated agrarian societies where women have much greater equality at the level of the family and, sometimes, even the local community. All these societies are Southeast Asian rice growers, such as the Northeast Thai. All are characterized by strong female control of economic resources and relatively non-patriarchal bilateral or matri-oriented kinship systems.

country to another. The greater a country's macro level of gender inequality– i.e., the greater the extent to which its political, economic, legal, ideological and religious systems disadvantage women, the greater the *negative* discount rate nibbling away at women's household-level economic power. For example, the macro level "discount rate" is clearly greater in states along the Persian Gulf than it is in the Nordic countries, which have the lowest level of overall gender inequality among contemporary nations.

At the micro level of the household, the discount factors can be negative or positive. For heterosexual couples they include:

1. the gender role ideology of each partner, which is further affected by the gender ideology of their class, racial/ethnic group, and region/milieu (e.g., rural vs. urban; coastal vs. highlands people);

2. each partner's perceived economic dependence on the other's contribution, regardless of its level;

3. each partner's relative attractiveness/ local "market value";

4. each partner's degree of commitment to the relationship;[5]

5. each partner's socialization with respect to hard bargaining to realize economic leverage;

6. each partner's age and stage of the life course; and

7. personality factors such as relative assertiveness and, perhaps, dependency. All these may enhance, undercut or even wipe out the leverage one derives from bringing economic resources to the household. For example, if a man is besotted with a beautiful young wife who is less committed to him and still has viable alternate options, she might have much more bargaining power than her relative economic resources would indicate: at this moment, her micro level "discount rate" is positive (Blumberg 1984, 1991).

In general, the macro level is more powerful than the micro level but change can go both ways. As more women earn more income, gain more self-confidence and gradually negotiate more "voice and vote" in household decision making, change percolates up to the structures affecting the gender system (e.g., they may pressure the government for childcare subsidies).

Finally, one derives less power from allocating resources needed for bare *subsistence* than from controlling *surplus* allocation. Withholding food from hungry children as a bargaining chip is rarely an option at the micro level, which may be why poor women do not get more power from the often high proportion of resources they contribute to the household (Blumberg 1984, 1991) –unless that household is female-headed.[6]

In contemporary industrial societies, the macro level has become increasingly favourable

> "The greater a country's macro level of gender inequality, the greater the negative discount rate nibbling away at women's household-level economic power."

[5] The less committed partner has more leverage by the "principle of least interest", i.e., the other fears that the less committed person will end the relationship.

[6] In female-headed households, most of these factors are irrelevant. Women household heads may be generally poorer than their male counterparts, but they rarely have to answer to anyone about how they allocate whatever income they may have: every dollar they bring to the household usually brings them "a dollar's worth of economic power." Moreover, their spending priorities generally enhance their family's well-being: nutritional levels may be higher and the proportion of resources devoted to children's education and health care may be greater in female-headed than in male-headed households, even when income is not controlled (Blumberg 1993).

vis-à-vis gender equality and rights. Over time, states gradually granted ever more basic rights and freedoms to a growing list of subgroups. For example, as the power of the aristocracy waned and the economic might of the bourgeoisie rose, rights soon followed. During the 19th century, political and civil rights expanded to encompass more and more middle and working class men. Other groups soon were clamouring for rights: freedom for slaves, votes for women, protections for children. The definition of whom to include under the "human rights umbrella" broadened.

But the umbrella remained quite narrow until very recently. "First generation" human rights in the West were confined to civil and political liberties. "Second generation" rights then added socioeconomic needs: food, shelter and work, as specified in the Universal Declaration of Human Rights (Bunch 1991:5-6). All are essential if women's concerns are to be addressed fully.

## *The Present: Two Roads to Women's Equal Rights – The Economic and the Statist/Activist*

**•The economic road.** Historically, we have seen, the greater the level of economic power wielded by women, the greater their level of equality. That relationship pertains today, too. Specifically, women with greater independent control of economic resources tend to have greater control over their own fertility, and more say about certain other rights and freedoms such as marriage (whether, when and with whom) and freedom of movement (Blumberg 1984, 1991).[7]

**•The second road: states bestowing rights vs. women fighting for them.** In most countries of the world, there has been significant, although uneven, progress in women's rights and equality over the last century. In part, this was due to most governments' gradual espousing of human rights as part of a worldwide movement that has accelerated since World War II, as well as the adoption of various United Nations proclamations on human rights. In some countries, women were not the mere passive recipients of increased rights from benevolent, paternalistic governments –they organized and fought for a greater slice of the equality and human rights pie. To be sure, the two roads are interconnected. To achieve women's equal human rights, we need both economically empowered, activist women and changes in the macro level structures of law, politics and other institutions.

But although the second statist/activist road may be more closely linked with civil and political liberties, women's relative economic power proves to be more closely connected to the most fundamental right of all: life itself.

> "The most insidious myth about women's rights is that they are trivial or secondary to the concerns of life and death. Nothing could be further from the truth: sexism kills."

**•"Sexism kills."** According to Charlotte Bunch (1991:6), "The most insidious myth about women's rights is that they are trivial or secondary to the concerns of life and death. Nothing could be further from the truth: sexism kills." Before birth, she argues, female fetuses are

[7] Their position, however, depends heavily on what country they live in (e.g., Sweden vs. Saudi Arabia).

enormously more likely to be terminated after a sex-revealing ultra-sound, contributing to the higher birth rates of boys in India and China. During childhood, girls may be fed less, breastfed for shorter periods, and taken to doctors less frequently, contributing to unequal sex ratios among children in a number of countries.

Amartya Sen (1990, 1991, 1993) has computed the extent to which "sexism kills": In the case of Bangladesh, China, India, Pakistan and West Asia, he discovered that "100 million women are missing." These are countries where the male to female ratio is less than parity even though there are 106 females per 100 males in the industrialized countries and 102 females per 100 males in Africa. Specifically, China and India both have sex ratios of 93 women per 100 men, and it's only 91 in Pakistan. Yet even in these female-deficit countries, there is internal variance. In Kerala State, India, for example, Sen notes that surviving traditions of matrilineal descent and inheritance buttress a contemporary situation where there are large proportions of working women in jobs that command respect and good wages, and literacy is high for both sexes. As a result, rather than a female deficit, the sex ratio is 104 women per 100 men. (India as a whole has a deficit of 37 million women and the sex ratio drops as low as 89 in Uttar Pradesh.)

As it happens, we can explain these variations in sex ratios by looking at women's economic worth. Rosenzweig and Schultz (1982) calculated female infant mortality in different states in India. There was a very high inverse correlation with the earnings of adult women, i.e., the highest rates of female infant mortality occurred where adult women were unlikely to work for income – and what income they did earn was extremely low. All of the countries with the deficit of females in their demographic pyramid are patriarchal agrarian-based societies, either predominately rainfed (e.g., Pakistan) or predominately irrigated rice (e.g., Bangladesh). Most women have little chance to earn or acquire independent income, land or other assets. The prevalent marriage system involves dowry– where the bride's family essentially pays the groom's family to unload her, since she is seen as a drain on family resources rather than a valuable producer. The prevailing gender ideology in these societies tends to further reinforce women's second class status and the preference for sons. Little wonder that so many females' right to survival itself is forfeit!

•Violence against women. As Charlotte Bunch (1991) and Roxanna Carillo (1991, 1992) insist, violence against women is a human rights issue. Therefore, it is relevant that empirical evidence exists of an inverse relationship between women's economic power and the extent to which they are victims of violence: First, in a sample of 61 preindustrial societies, there was a negative correlation of almost -0.6 between women having well-established control of economic resources and husbands beating their wives (Blumberg 1978). In other words, where women already have consolidated control of significant economic resources, men are less likely to beat them. But where women's economic power is in a state of transition – especially where women's control of economic resources is rising while men's is falling– then the more that men feel their power threatened by women's rising economic clout, the more likely they are to resort to "the male trump card," physical violence, in order to maintain their dominance (Blumberg 1988; Blumberg and Coleman 1989). (Thanks to biology, men have one-third to one-half more upper body strength than women, which advantages them in exercising this form of power.)

Second, in a sample of 90 societies, Levinson (1989) isolated four factors that predicted violence against women: economic inequality for women was the strongest

(see Heise 1994:29).[7] Basically, the more economically dependent, the more likely the woman was to be battered.

[7]The other three are male authority and control of decision making in the home, using physical violence to resolve conflict and divorce restrictions on women (Levinson 1989). In my theory of gender stratification, each one of these factors is treated as a *consequence* of the main independent variable – women's lack of economic power. Conversely, where women have long had control of a substantial proportion of economic resources (vs. men), I predict that they have greater say in household decision making, are less likely to be beaten and have fewer divorce restrictions (Blumberg 1984). Finally, it should be noted that four researchers have found that female power outside the home is indicative of low violence against women: Blumberg 1984; Counts, Brown and Campbell 1992; Levinson 1989 and Sanday 1981.

[8]Dowry deaths remain epidemic in India, despite the adoption of stronger laws. When a man or his family is dissatisfied with the dowry payments made by the wife's family, the woman may be murdered in a manner designed to look like an accident. The most prevalent type of "accidents" are "cooking fires," where the kerosene allegedly ignites the woman's sari. Somehow, "cooking fires" are overwhelmingly most common in households where the groom and his family are unable to obtain what they deem a good enough dowry from the bride's parents –hence the term, "bride-burning" (Heise 1994:19). Heise notes that: "In 1990, the police officially recorded 4,835 dowry deaths in India, but government sources readily acknowledge that this is a gross underestimate" (ibid.; see also Kelkar 1992).

[9]Roxanna Carrillo makes a similar argument: "The socially constructed dependency of women on men is key to understanding women's vulnerability to violence. This dependency is frequently economic" (Carrillo 1991:27).

Viewing violence against women as a human rights violation, Bunch argues that: Sex discrimination...when combined with race, class and other forms of oppression...constitutes a deadly denial of women's rights to life and liberty on a large scale throughout the world. The most pervasive violation of females is violence against women in all its manifestations, from wife battery, incest and rape, to dowry deaths,[8] female genital mutilation, and female sexual slavery (Bunch 1991:6).

All too often, these issues are ignored as trivial, or seen as endemic to the culture and hence not subject to intervention (ibid.:5). But, according to Lori Heise, "this is not random violence...the risk factor is being female" (Heise1989:3). Bunch further argues that such violence is *not* "only personal or cultural... [rather,] it is profoundly political. It results from the structural relationships of power, domination and privilege between men and women in society" (Bunch 1991:8).

We have explored the economic road and have seen that where women have low economic power, even their rights to birth and survival are tenuous, whereas where women have well-established economic power, they are less likely to be beaten.[10] What about the other road to women's equal rights? Specifically, why has the state often been so non-responsive in defining and protecting women's human rights? Riane Eisler offers a plausible reason:

...[T]he issue is whether violations of human rights within the family such as genital mutilation, wife beating and other forms of violence designed to maintain patriarchal control should be within the purview of human rights theory and action...[T]he underlying problem for human rights theory, as for most other fields of theory, is that the yardstick that has been developed for defining and measuring human rights has been based on the male as norm (Eisler 1987a:297; see also 1987b).

### *Taking Stock of Progress to Date*

Four signposts along the road to women's equality and equal rights give a preliminary idea of how far the journey has progressed in two centuries:

1. In 1765, Blackstone, one of the "fathers of English law," stated:

By marriage, the husband and wife are one person in law: that is, the very being or legal existence of the woman is suspended during marriage or at least is incorporated and consolidated into that of the husband (Blackstone 1765, cited in Tomasevski 1993:31).

2. In July 1848, 150 years ago, Susan B.

Anthony and Elizabeth Cady Stanton convened the world's first women's rights convention in Seneca Falls, New York. Stanton was the main author of the convention's key document, "A Declaration of Sentiments", which was patterned after the United States Declaration of Independence. It set out the legal and social disabilities confronting 19th century American women and provided a framework for a century of struggle.

3. In 1993, the UN World Conference on Human Rights proclaimed:

The human rights of women and of the girl child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community (*Vienna Declaration and Programme of Action*, Part I, Para 18).

4. In 1995, the *Platform for Action* adopted by the Fourth World Conference on Women in Beijing stated that: "[It] reaffirms the fundamental principle set forth in the Vienna Declaration [of 1993], that the human rights of women and of the girl child are an inalienable, integral and indivisible part of universal human rights. As an agenda for action, the Platform seeks to promote and protect the full enjoyment of all human rights and the fundamental freedoms of all women throughout their life cycle" (United Nations, DPI/1766/Wom, 1996).

So the rhetoric has changed from 1765 to 1995. What about the reality? The best scorecards are compiled by Sivard (1995):

•**Education.** Since 1960, girls have edged up from 43 to 46 per cent of enrollment in primary school, 40 to 45 per cent in secondary school, and from 34 to 45 per cent of students in higher education (ibid.:20). But regional differences remain, with Latin America showing the smallest gender gap and South Asia the widest (ibid.:23). Education also has positive effects on other areas critical for women's equality and human rights, including lower infant mortality, higher contraceptive usage, lower fertility, enhanced modern sector paid employment and higher earnings.

•**Health.** Women with more education have dramatically lower rates of infant mortality. And, especially if they stay in school past primary school, they have much higher rates of contraceptive usage. This is true even in a society such as Bangladesh where women have minimal economic power and remain highly subservient (Ather 1985; Martin 1987; Blumberg 1989). But the world's most successful family planning programmes tend to be found in areas (such as Northeast Thailand) where women have the most economic autonomy and hence the most control over their own bodies and fertility patterns. Moreover, "education is the best contraceptive" – i.e., girls' education is the factor most strongly associated with decreased fertility (Blumberg 1989).

The good news is that "world fertility is decreasing. It has dropped over one-third since 1960, even in the developing world, from an average of over six children per woman in poorer countries to an average of less than four. By contrast the average in market economies is less than two children. The lowest fertility rate in the world is in Italy and Spain at 1.4, the highest in Rwanda at 7.9 per woman" (Sivard 1995:28). As fertility drops, women's other life options tend to rise. For example, worldwide, a woman who had her first child at 14 and produced five more children by age 25 is likely to have had far fewer opportunities for an education and a career than a woman who had her first child at 25 and her second –and last– baby at 29.

Even though there are other health issues where less progress has been made, including such harmful traditional practices as violence against women and female

genital mutilation (FGM),[11] the overall picture on health is fairly rosy and a female born in 1995 can expect to live at least 18 years longer than one born in 1950 (ibid.:26).

•Work and income. Statistics on women's work continue to drastically undercount their participation, especially in the informal sector and low resource agriculture. Therefore, we should take with a grain of salt the news that the proportion of women's in the *measured* labour force is stagnant (35 per cent in 1950 and 36 per cent in 1995; ibid.:9). Micro-level studies show that more and more women earn income, even if their activities do not show up in paid labour force statistics. Worse yet, these statistics explicitly exclude women's unpaid household labour.[12] If it were given economic value, it would add an estimated one-quarter to one-third to the world's GNP (ibid.:11).

Still, even the imperfect statistics show us that women are increasingly entering non-traditional fields, and that with higher levels of education and the rise of information technologies that employ more women in better jobs, the notorious wage gap between men and women is somewhat narrowed (ibid.:14).[13] More women earning more income bodes well for accelerating the pace of the journey toward equality and equal rights. Meanwhile, however, "seen from a global perspective, political equality between the sexes has been the most elusive of all" (ibid.:9).

•Political equality. Sivard summarizes when 139 countries gave women the vote: Before 1910, only New Zealand and Finland allowed females the franchise (New Zealand was first, in 1893). In the 1910s, 10 more followed suit; in the 1920s, 6 more; in the 1930s, 9 more; in the 1940s, 36 more (in the wake of World War II); in the 1950s, 29 more; in the 1960s, 26 more; in the 1970s, 8 more; in the 1980s, 4 more; in the 1990s, 2 more (Cambodia and South Africa). Women still cannot vote in seven countries: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates in the Middle East; Brunei in Southeast Asia (ibid.:32-33). Most countries that became independent after World War II gave equal voting rights to women and men. But in long-established states, men gained the vote from one to 134 years before it was extended to women; the average delay for female suffrage was 47 years after male (ibid.:32). The longest delays occurred when men got political rights while women still had little economic power. Today, the slow translation of women's gradually rising economic power into political clout indicates that there might be a "threshold level" before this occurs, and/or that there is a significant lag before this occurs. In that regard, it is noteworthy that it took centuries before the economically triumphant European bourgeoisie achieved political hegemony.

Concerning government, in 1994 women averaged only 11

[11] Over 100,000 females suffer the often lifelong health consequences of FGM, which is typically done in excruciatingly painful, unsterile fashion in a large number of African and Middle Eastern countries. There are three levels of FGM: circumcision (removing the tip of the clitoris), excision (removing the whole clitoris and usually the labia minora) and infibulation (removing clitoris and labia minora and scraping the labia majora, the remnants of which are sewn together with only a tiny opening for urine and menses). Excision is overwhelmingly the most common form of FGM. Health consequences to girls range from sepsis to sterility and even death. As women, they run higher rates of maternal mortality, susceptibility to AIDS, and a gamut of "female problems" ranging from painful intercourse to chronic infections.

[12] INSTRAW has developed a methodology for satellite accounts that would expand the system of national accounts to include women's tasks that economists recognize as productive but rarely measure in national statistics (e.g. post-harvest processing, providing fodder for penned animals, etc.). The methodology also includes a way for valuing women's household labour (INSTRAW, 1996).

[13] Sivard summarizes a U.S. Department of Labor study that "found that, in general, workers using computers on the job earned higher wages than those who did not, and that women were more likely than men to be using them" (Sivard 1995:15).

per cent of the seats in national legislatures (12 per cent in the 33 developed countries, 10 per cent in 106 developing nations); this is no higher than 20 years earlier. Four Nordic countries and the Netherlands had the best records, with more than one-third of both Parliament seats and Executive Cabinet posts held by women, a 100 per cent increase from 1974-1994 (ibid :38). In general, women held an average of five per cent of Executive Cabinet posts (7 per cent in the developed and 5 per cent in the developing countries). But in 34 per cent of all governments, there were *no* women in the Executive Cabinet in 1994. Still, in another indicator of progress, there were 10 women Heads of State in 1995, vs. only five in 1985 (ibid.:5, 39).

•International treaties. The lag in female political power may be affecting the low level of implementation and enforcement of the six international conventions relating to sexual equality which were adopted between the 1950s and the 1980s. The most sweeping, the Convention for the Elimination of All Forms of Discrimination Against Women, was passed unanimously by the UN General Assembly in 1979 and entered into force in 1981. By July 1997, 160 countries had ratified it, although over 40 accepted it only with reservations and many more lag in meeting even the basic reporting requirements. The other five treaties and the number of countries that had ratified them by 1995 are: equal pay for equal value (entered into force in 1953, ratified by 107 countries); equal political rights (in force since 1954, ratified by 105 nations); maternity protection (in force since 1955, ratified by only 31 nations); equality in employment (in force since 1960, ratified by 126 countries), and equal marriage rights (entered into force in 1964, ratified by only 44 nations) (Sivard 1995:33-36). Most recently, in 1993, the UN issued a Declaration on the Elimination of Violence Against Women, the first step toward another treaty or convention. Will the future bring faster progress?

## *The Future: Will We Reach the "50-50 Line" of Gender Equality and Human Rights?*

Three topics are considered here: (1) changes in the techno-economic base that affect women's relative economic equality and power, (2) what well-organized women achieve for themselves, and (3) the creation of a public discourse concerning further mainstreaming women's rights and promoting gender equality.

•**The emerging techno-economic base: information/biogenetic societies.** It is an extremely momentous and rare thing to live in the transition from one techno-economic base to another. In the past, each time the base shifted the major form of power changed also. Military force was the most important type in agrarian societies, but force and violence are the costliest and least flexible types of power to wield. Economic power reached new heights of importance in industrial societies. In comparison with force, economic power is more flexible and more fungible. Now information is becoming the most important source of power, with enormous consequences for the distribution of economic and political power and even for the likelihood and nature of war.[14]

And information turns out to be the most flexible form of power in history. It is now growing exponentially, with computer capacity and speed doubling every 18 to 24 months. Traffic on the Internet is doubling every 100 days and there are 62 million people online in the United States alone (Bridis 1998: A1).[15] There are major implications for human

[14] It takes a very sophisticated information base to become a nuclear power, as shown in the 1998 nuclear tests in India and Pakistan.

[15] "The Internet is growing faster than all other technologies that have preceded it. Radio existed for 38 years before it had 50 million listeners and television took 13 years to reach that mark. The Internet crossed the line in just four years" (Bridis 1998: A18).

rights in general and women's human rights in particular. Information technology is growing too fast for governments to squelch its dissemination. Even the most authoritarian governments cannot keep track of all the laptops, fax modems, photocopy machines and connections to the Internet. This is good news for women, who now have more access to information as a source of power. Information technology is also a source of economic power for women: more women are working as a result of the rise of information technology, and many are working in better, higher paying jobs.

**•Information technology and organizing: Helping women help themselves.** Information technology, in turn, adds a new dimension to women's growing potential to achieve human rights and freedoms in the "information society." On the one hand, the periodic World Conferences on Women, involving "the coming together of tens of thousands of women, has helped to bring all women out of the shadows" (Sivard 1995: 5). On the other hand, the groups involved in the burgeoning movement of women's Non-Governmental Organizations (NGOs) are increasingly able to exchange information within and beyond their country's borders just by going online.

But not all aspects of the emerging new techno-economic base may be positive. Dangers for women also may lurk in these unknown waters. Recall that the emerging base consists of not only information technology but also of biogenetic technology. The latter is increasingly likely to involve proprietary control by private companies. Legally, they apparently have the right to patent genes just by isolating them. Many of these biogenetic processes affect reproduction, including human reproduction. Looking to the future, who will control the ever-growing array of reproductive technologies? What sorts of human –and women's– rights will be formulated to guarantee that people will not be subject to involuntary genetic manipulation?

In the short run, the information side of the new techno-economic base seems to be more clearly beneficial to women. Meanwhile, the biogenetic side, which may soon have an economic potential as great as information technology, has remained relatively unexamined from the standpoint of women's equality and human rights. But already two beacons of light can be seen in the darkness: the great and growing involvement of feminists and women's NGOs in the reproductive technology debate, and the fact that there are more –and growing numbers of– women scientists in the life sciences than the physical sciences; if organized, they could become key players in defining the ethical parameters of the emerging technology and hence in guarding women's rights.

**•Reaching equality by rhetoric? The creation of a public discourse.** At the computer, cyberspace and biogenetic frontiers, the rate of change, already faster than anything in human history, continues to accelerate. Progress, however, is uneven. The world news in June 1998, for example, reported that the Taliban Government in Afghanistan shut down even the private schools for girls (they closed the public schools to girls –and banned almost all female employment– when they took power). But their actions now are discussed in a multifaceted discourse involving print media, television, the Internet, the United Nations, NGO/pressure groups and even governments. So far, the Taliban have not yet bowed to such pressure, but "the whole world is watching." And a public discourse is created that privileges gender equality as a human right.

> Now information is becoming the most important source of power.

Even though the conferences and conventions aimed at promoting female equality and rights and freedoms almost always lack enforcement mechanisms with teeth, the mere fact that the rhetoric is being expounded tilts the terms of the debate on gender equality.[16] As women increase their involvement in and economic rewards from the emerging information society, not only are they empowered to act on their own behalf, but their voice in the public discourse is also strengthened. All these factors then converge: this is a prime time in history for changes to be exerted on behalf of gender equality.

Today, some slavery survives but nowhere on earth is it socially acceptable or defended by governments. Thanks to the convergence of economic transformation, female self-organizing and a new public discourse on gender equality, a similar evolution may be taking place vis-à-vis women and gender equality. As the twin engines of increased income for women and a more female-friendly new techno-economic base bring women all the benefits of increased economic and information power, the rhetoric of equality espoused by international bodies is pushed toward action by growing numbers of increasingly mobilized women's groups. The struggle will not be easy because in a number of societies, controlling women and their reproduction are key components of masculine identity as well as class and government power. But for the first time since the heyday of foraging societies, reaching the "50-50 line" of gender equality, rights and freedoms seems less of an impossible dream than a goal for the first century of the next millennium.

[16] The terms of the debate are, indeed, changing fast. Only 35 years ago, in the United States Congressional debate on what became the Civil Rights Act of 1964, a Southern Congress member who favoured racial segregation sought to kill the measure by inserting "and sex" among the grounds on which civil rights could not be denied. He was sure that enough legislators would find this so ridiculous that they would defeat the bill rather than ban sex discrimination. He was wrong and a revitalized women's movement soon achieved many victories because of the addition of those two words. Today in no country would rhetoric about women's equal rights be considered ridiculous, even in those where deep opposition to female equality remains.

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# Now is the TIME for all Good Women

by Arvonne Fraser*

When I was learning to type –on a typewriter, not a computer– the practice phrase we were taught was: Now is the time for all good men to come to the aid of their country. In English, this phrase employed all the commonly used letters of the alphabet. When students –primarily girls– learned to type this phrase fast without looking at the keyboard they were well on their way to being employable. My mother had insisted on my taking typing because she thought girls should be able to support themselves though marriage was to be our primary occupation. The clear message of this whole endeavour was that men were responsible for the world and women aided men.

Times have changed – somewhat. Many teachers would change that phrase to: «all good men and women;» boys now learn to type because computers are key to employment; and millions of women work outside the home even after marriage. But discriminatory customs and traditions hang on and too many girls are still taught to think of themselves as wives and mothers but not citizens.

Luckily, there were foremothers who believed women were equal citizens. Mrs. Mehta from India is only one. When the Universal Declaration of Human Rights was drafted, she and other female delegates were concerned that the language in that document should cover both women and men. They succeeded in having the term «everyone» substituted extensively for the conventional personal pronoun, «his» or the word «man» to mean all of humanity. Also, in the early UN years, Latin American activist women such as Minerva Bernardino of the Dominican Republic, led the struggle for a free standing UN Commission on the Status of Women (CSW) when the UN Commission on Human Rights failed to take women's concerns seriously. [Editor's note: See INSTRAW News No. 18 (1992) for an interview with Ms Bernadino in which she provides details about her activities in defense of women's rights.]

Then, in 1963, twenty-two nations, primarily «developing» countries proposed a UN resolution calling for the drafting of a declaration on the elimination of discrimination against women. They argued discrimination impeded development and national development required the talents of both women and men. By 1979, CSW had drafted and the General Assembly had adopted the Convention on the Elimination of All Forms of Discrimination Against Women. Again, women from all over the world participated in the drafting of the Convention and succeeded in having it ready for the 1980 UN world conference on women held in Copenhagen, Denmark.

Within two years this Convention became the women's human rights treaty when twenty-one countries had ratified it. By 1985 when the third UN world conference on women was held in Nairobi, Kenya, over fifty nations had ratified the treaty, indicating that women had become an important political constituency. Still, the Convention was not well known until the 1993 world conference on human rights when women's human rights and the problem of

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violence against women were brought to world attention. Between 1975 and 1993 women worldwide were organizing around their own interests and concerns. New NGOs sprang up in every country. A major organizing theme during the last decade was the violence question, a universal women's problem.

Thus, by 1998, fifty years after the adoption of the Universal Declaration of Human Rights, women's human rights had been acknowledged. Known universally by the acronym, CEDAW, the treaty has been ratified by over 160 countries. But acknowledgement of rights is not enough. Human rights must be put into practice, by governments and by individuals. Documents must be implemented, given life. Now is the time for all good women to concentrate on human rights implementation.

The CEDAW Convention is the framework around which implementation can be made effective. It covers all aspects of women's lives in sixteen substantive articles dealing with education, employment and health; equality before the law, including marriage and family law; and the right to participate in public life from the local to international level. This treaty also has a special section on rural women, which reiterates many of the rights found in other articles. Article 1 of the treaty defines discrimination and Article 2 indicates the policy measures governments should take to eliminate discrimination including abolishing all discriminatory laws, customs and regulations. Articles 3, 4 and 5 guarantee women basic human rights and fundamental freedoms on an equal basis with men, call for temporary special measures to achieve equality and for social and cultural patterns to be modified to overcome prejudice and ensure that family education teaches men and women their common responsibility in raising children. Article 6 states that measures shall be taken to suppress all forms of trafficking in women and exploitation of prostitution. Articles 17-30 of the CEDAW Convention authorize the establishment of an expert committee to review progress under the convention, detail the composition and function of the committee, deal with reservations to the treaty and with its administration.

Ratifying countries are required to submit periodic reports on progress and problems in implementing the treaty to the Committee on the Elimination of Discrimination Against Women (the Committee). This twenty-three member expert committee meets each January and July at UN headquarters in New York to consider national reports.

In 1985, the International Women's Rights Action Watch (IWRAW) was founded by a group of women attending the third UN world conference on women held in Nairobi, Kenya, to publicize the existence of the CEDAW Convention and promote its implementation. Soon thereafter IWRAW began publication of «Women's Watch», a quarterly newsletter reporting on law and policy change in accordance with the principles of CEDAW.[1] IWRAW also began collecting and submitting independent information to the Committee on countries whose reports were coming up for review. It also published and distributed reports on the results of Committee's review of country reports. Now, however, with ever-increasing numbers of ratifying countries and with women's human rights and CEDAW better known, IWRAW and the Committee are both encouraging national NGOs to submit their own «shadow reports» to the Committee. To this end IWRAW has published, in collaboration with the

[1] This publication continues and is available to interested women's groups on a subscription basis in industrialized countries and free to others. Contact: IWRAW, Humphrey Institute of Public Affairs, 301-19th Avenue South, Minneapolis, MN 55455 USA, e-mail: IWRAW@hhh.umn.edu

Commonwealth Secretariat, a manual entitled, «Assessing the Status of Women: A Guide to Reporting Under the Convention on the Elimination of All Forms of Discrimination Against Women»[2] and a new report, «Producing NGO Shadow Reports to CEDAW: A Procedural Guide», will be available this summer.

The importance of NGO reports cannot be overestimated. These reports are necessary because no expert committee can have adequate, up to date information on women's situation in every ratifying country. Although UN specialized agencies are encouraged to report to the Committee on matters within their jurisdiction, and some of the most persistent and egregious violations of women's rights may receive international attention and become known to the expert Committee, this is not enough. All governments tend to report favourably about themselves. The Committee needs complementary or «shadow reports» from national and international NGOs on the status and problems of women in countries coming up for review. For maximum effectiveness IWRAW recommends that these shadow reports follow CEDAW's articles although reporting on the most blatant or egregious abrogations of women's rights in a particular country is helpful to the Committee. Full reports on the status of women in a particular country help the committee –and other interested persons or groups– understand the inter-relationships between the articles of the Convention and of women's human rights generally.

But simply reporting is not enough. If women's human rights are to become universally implemented, three separate, but inter-related strategic actions need to be undertaken at both national and international levels. These action strategies are both long and short-term, discrete and on going. The first of these is, of course, reporting which includes not only the development by national NGOs of country shadow reports and submission to the Committee, but NGO efforts to assure that governments meet their reporting obligations. Information about whether a ratifying country has reported can be obtained from foreign ministries or from the UN's Division for the Advancement of Women. [Editor's note: This information is readily available from the WomenWatch website, a joint project of DAW, INSTRAW and UNIFEM, http://www.un.org/womenwatch.]

> "Human rights and fundamental freedoms are the birthright of all human beings; their protection and promotion is the first responsibility of Governments."
>
> Platform for Action of the Fourth World Conference on Women. Paragraph 210.

A second, essential long-term strategy involves public education about the CEDAW Convention and women's rights. Girls and boys, women and men –including governmental

[2] By the end of 1998, this publication will be available in French, Spanish and Arabic as well as English. It includes the text of the CEDAW convention, guidelines for reporting, General Recommendations adopted by the Committee and the Declaration on the Elimination of Violence Against Women.

officials– need to know what women's rights are and that there are international documents in existence which guarantee them. While the full CEDAW convention reads like any human rights treaty or other UN document –sometimes a bit tedious and long, with both substantive and administrative articles included– developing and distributing condensed versions of the convention in national languages can be very effective in education about women's human rights and their practical ramifications. INSTRAW has published condensed versions of the CEDAW Convention in English, French and Spanish and encourages its reproduction in local languages.

An important part of any public education strategy should also include obtaining a copy of the Concluding Comments issued by the Committee after reviewing a country's report. These comments include recommendations to the reporting government, which can serve as an excellent basis of suggestions for NGO action as well as additional public education materials. Obtaining Concluding Comments on other, perhaps similar countries can also be informative. [Editor's note: This information can also be found on the WomenWatch website.]

The third strategic, long-term action involves recruiting and promoting candidates for election to the Committee. Under the terms of the treaty, committee members are nominated by ratifying countries, called «States parties» to the convention, and are elected for four year terms at a meeting of the States parties in UN headquarters from a list made up of all the nominees from those States parties. According to the treaty, «consideration shall be given to equitable geographical distribution and to the representation of the different forms of civilization as well as the principal legal systems» of the world. Also, nominees for the Committee are to be «of high moral standing and competence in the field covered by the Convention.» Although nominated and elected by governments, Committee members do not serve as representatives of governments but in their personal capacity as experts on women's rights.

In practical terms, governments do not give a high priority to finding experts to serve on the Committee. They need suggestions of appropriate and qualified women from NGOs. In the past, wives of national officials and other prominent or well-placed women in a particular country have been elected simply because no other candidate was put forward. Some of these women had little interest in women's human rights and acted as government representatives, not experts. Observers of the Committee sessions –and observers are welcome– soon learn which members are most effective and which are, perhaps, only accidents of election because no other good candidates surfaced from that particular geographical region or legal system.

If the Committee is to be effective over the years, women's NGOs must learn as much about the members of the Committee and its operation as about the CEDAW Convention and the reporting system under it. NGOs must collaborate with governments by suggesting and lobbying for candidates who will be diligent members of the Committee and in monitoring the work of the Committee. The list of current Committee members and when they come up for re-election or the position becomes vacant can be obtained either from the UN Division for the Advancement of Women or from INSTRAW. NGOs might also consider inviting Committee members living in their area to speak at NGO meetings or conferences. Increasingly, highly qualified women have been elected, many of them with NGO experience.

Biographies of candidates are important. The biographies are circulated among ratifying country representatives prior to an election and, in some cases, governments bring candidates to New York and introduce them to other government representatives, essentially campaigning for election. It is important to note here that ratifying countries can only present one nominee but if their nominee is elected and fails to fill out her term, that nation «shall appoint another expert from among its nationals, subject to the approval of the Committee». Thus, there is not only election but appointment to the Committee to monitor.

Finally, I have a fourth suggestion: to research and reclaim women's history with a focus on the evolution of women's human rights. Knowing who our foremothers were, what they fought for and how is a great advantage. Knowing that progress has been and can be made encourages others to step forward, to take actions they might not otherwise have the courage to take.

Opponents of women's human rights know this. They have spread the notion that women's human rights is a Western or Northern concept. Since women's history has often been neglected or ignored, thousands of women have brought this notion out of ignorance of their own nation's history and that of women worldwide. The CEDAW Convention would not have been written without the efforts of women from many countries of the world. A quick look at the records of the UN Commission on the Status of Women reveals that.[3] Not knowing women's history –including local and national history of women striving to better their situation– results in tremendous time wasted refuting arguments made by opponents of women's rights. That precarious time could be spent much more effectively dealing with current abrogations of women's rights and advocating for legislation to assure women their rights.

Even before the Universal Declaration of Human Rights was adopted fifty years ago, and before the CEDAW Convention was adopted in 1979, individual women and women's organizations in most countries of the world were striving to promote women's education; to provide health care, family planning information and services; to assert women's rights to employment and their right to hold and manage property as well as be guardians of their own children. What is needed for at least the next fifty years is a strong research, including oral histories, and writing effort to reclaim through women's history on local, national and global levels. INSTRAW could be very useful in encouraging and supporting this effort to reclaim women's history. ■

[3] For further information on the history of women in the United Nations see *Women, Politics and the United Nations*, edited by Anne Winslow, Greenwood Press, Westport, Connecticut & London, 1995 and Hilkka Pietila and Jeanne Vickers, *Making Women Matter: The Role of the United Nations*, London: Zed Books Ltd., 1994.

# Unity in Diversity and Adversity: *Venezuelan Women's Struggle*

by Cathy A. Rakowski*

Venezuelan women have struggled for equality and justice for at least eight decades. However, the most significant gains were achieved in the last two decades. At the present time, women's non-governmental organizations and women politicians and lawyers are successfully re-framing human rights issues to include "women's rights." In particular, they target violence against women and women's political participation as the human rights issues of the late 1990s. The record of successes can be explained largely by three factors: (a) the consistent framing of women's issues as critical to goals of social justice and democracy; (b) a strategy of flexible coalitions and alliances among women and women's organizations in spite of political, class and other differences; and (c) an ability to keep demands in the public eye through the printed and visual media. Nonetheless, the changing economic and political context of the late 1990s presents both opportunities and obstacles to current proposals on violence and political participation.

This paper presents an overview of women's struggle for human rights and their achievements. It emphasizes recent events, and underlying the discussion is the notion that the success of women's struggle is attributable to their political savvy and chosen strategies. These strategies are characterized by principles of "unity in diversity" and "achieving something more than mere words" (implementation of policies and laws). Politically, women have posed their demands as critical to democracy–including the notion that "you can't educate children to defend a democracy if they grow up in [a family that is] a dictatorship" (Espina 1994; Pizani and Castañeda 1996). This was the slogan of the successful 1980s campaign to reform the Civil Code.[1] In the current climate of rejection of male dominated and confrontational politics, corruption, crime and personal insecurity, women pose additional reforms as necessary corrections to structural disadvantages that hurt women as workers and mothers, undermine democratic reforms, and jeopardize human rights and social justice.

## *Contemporary Strategies in Historical Perspective*

Beginning in the 1920s, women's legal and political rights issues emerged through their participation in clandestine movements to end dictatorships and repression. During a respite from dictatorship in the 1940s, women achieved the vote with restrictions (1945) and then in full equality with men (1947). When the current democracy was established in 1958, women concentrated

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[1]Information is drawn from diverse sources, including newspaper clippings, scholarly publications, and formal and informal interviews with women leaders and activists since 1979. Among the leaders whose experiences inform this essay are feminists, politicians and activists, engineers, former Ministers, health care providers and counsellors, lawyers and judges, academics, community organizers and women in grassroots groups. In particular, they include Inocencia Arellano, Adicea Castillo, Maria Nuria De Cesaris, Gioconda Espina, María Pilar García Guadilla, Evangelina Garcia Prince, Magally Huggins, Beatriz Jimenez, Elisa Jimenez, Argelia Laya, Jesusita Maldonado, Giovanna Mérola, Virginia Olivo de Celli, Carmen Ortega, Ana Elisa Osorio, Yolanda Poleo de Báez, Mercedes Pulido de Briceño, Esperanza Vera, and Maria Zambrano. *Editor's note:* Ms Virginia Olivo de Celli served as member of the INSTRAW Board of Trustees from 1989 to 1992. Ms Mercedes Pulido de Briceño as Coordinator for the Improvement of the Status of Women in the Secretariat, represented the Secretary-General at the seventh session of the INSTRAW Board of Trustees in 1987.

# for Human Rights

their energies in building democratic institutions like political parties, labour unions and professional organizations, where women's rights faced cooptation "in the interest of" political stability and economic development. Even so, they garnered sufficient support to outlaw sex discrimination in the 1961 Constitution and Venezuela rapidly adopted and implemented in public employment principles of equal pay for equal work.

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In the 1960s and 1970s, urbanization, growth of the petroleum-supported economy, and the expansion of public services led to a dramatic increase in women's education and labour force participation–a fact inconsistent with their legal status. Women's religious, civic, and feminist organizing also grew, revitalizing debates over women's roles and problems as citizens and workers. These debates arose in a context of

formed women-only organizations. In the mid 1970s, one of these, the FEVA-Venezuelan Federation of Women Lawyers, formed a plan for progressive legal reform. Led by Yolanda Poleo de Báez, principal architect of the reform, they decided to convince politicians and leaders from other women's groups and organizations that a coalition was needed. They found critical support in Mercedes Pulido de Briceño, the first Minister for the Integration of Women in

for women in non-legal unions.[2] Subsequent successful or ongoing efforts have emphasized reforms of the Penal Code, labour legislation, contract law, constitutional reform, and suffrage law. Events following reform of the Civil Code –i.e., married women signing powers of attorney relinquishing property rights back to men– led women to expand their focus to include education and implementation. Legal equality was identified as necessary but not sufficient for real social

**Editor's Note:**

Cathy Rakowski, author of the article entitled "Unity in Diversity and Adversity: Venezuelan Women's Struggle for Human Rights" featured on page 26 of this issue of *INSTRAW News* (No. 28), informs us that the following information on women and human rights in Venezuela has changed since the writing of the article:

- As of October 1988, Human Rights organizations in Venezuela have added women's human rights, including the right to freedom from violence, to the human rights agenda in Venezuela.
- As of September 1998, the proposed Law Against Violence Against Women and the Family was passed by the Venezuelan Congress and signed into law by the President.

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their energies in building democratic institutions like political parties, labour unions and professional organizations, where women's rights faced cooptation "in the interest of" political stability and economic development. Even so, they garnered sufficient support to outlaw sex discrimination in the 1961 Constitution and Venezuela rapidly adopted and implemented in public employment principles of equal pay for equal work. But other legislation, including protections in labour law and the Penal Code continued to discriminate against women. Men could use the honour defense to justify the murder of women and the 1942 Civil Code remained in effect, relegating married women to the status of minors under the authority of husbands and denying them "patria potestad" –legal authority over children.

In the 1960s and 1970s, urbanization, growth of the petroleum-supported economy, and the expansion of public services led to a dramatic increase in women's education and labour force participation–a fact inconsistent with their legal status. Women's religious, civic, and feminist organizing also grew, revitalizing debates over women's roles and problems as citizens and workers. These debates arose in a context of support for social justice and the redistribution of petroleum wealth. Women framed their demands within this broader discourse and in the context of "defending the family" and community.

Another feature of the 1970-80s was the shifting site of the struggle. Though some women fought cooptation within mixed gender organizations –which tended to keep women divided along political and class lines– many women formed women-only organizations. In the mid 1970s, one of these, the FEVA-Venezuelan Federation of Women Lawyers, formed a plan for progressive legal reform. Led by Yolanda Poleo de Báez, principal architect of the reform, they decided to convince politicians and leaders from other women's groups and organizations that a coalition was needed. They found critical support in Mercedes Pulido de Briceño, the first Minister for the Integration of Women in Development, who helped organize the coalition and financed the campaign for reform. The resulting coalition and alliances between women politicians and women in non-governmental organizations resulted in the successful overturning of the "honour defense" and the reform of the Civil Code in 1982– granting full equality for women, eliminating legal differences among children based on marital status of their parents, and creating protections for women in non-legal unions.[2] Subsequent successful or ongoing efforts have emphasized reforms of the Penal Code, labour legislation, contract law, constitutional reform, and suffrage law. Events following reform of the Civil Code –i.e., married women signing powers of attorney relinquishing property rights back to men– led women to expand their focus to include education and implementation. Legal equality was identified as necessary but not sufficient for real social change.

It is important to note that, though Venezuelan women have been influenced by and used international events and trends to support their efforts, they have developed their own unique and enduring strategies. These strategies are consistent with the opportunities and constraints imposed by the political and economic context in which they operate. In fact, some impacts of

[2] There had been several unsuccessful attempts to achieve equality dating as far back as 1942.

women's organizing precedes or at least parallels international events. Presidential "advisory commissions" on women's problems preceded the International Women's Decade (1976-1985) and focused on researching issues as diverse as education, work, the value of housework, single parenthood, and violence. In 1979, the first ministerial position focusing on women, was established though advisory commissions, continued to function. Around 1995, the ministerial office was replaced by the National Council on Women (CONAMU) with a mandate to formulate and implement legislation and policy and to work closely with women in non-governmental organizations.

### *Re-framing the Human Rights Agenda in the 1990s*

Clearly, the introduction of issues of violence against women and political participation into more general discussions of inequality, poverty, and discrimination is not new. What is new is the level of public recognition that these issues have acquired in the 1990s –in part due to the deliberate attention given them in national and international conferences and by media coverage of these issues. Also new is the insistence on posing these issues as part of the "human rights" agenda– at a time when Human Rights Watch and Amnesty International have focused attention on Venezuela's dismal record of prison violence, censorship, and repression of civil unrest.

The notion of human rights widely accepted by the Venezuelan Government and private human rights organizations includes two categories – "economic, social and cultural rights" and "civil and political rights." Economic, social and cultural rights span a wide range of topics that include labour rights; rights to health, education and housing; rights to social security, to a healthy environment and to food. Civil and political rights include rights to freedom from political and physical violence and from threat and coercion; these are subsumed under rights to personal freedom, integrity, security, justice, and the rights of those who have been detained or incarcerated. If women are mentioned at all in human rights documents, it tends to be as reproducers denied access to prenatal and other types of health care (Simms 1998). And, though women have been active in human rights organizations, there is no evidence that any of these organizations has ever cited violence against women or gender-based discrimination. Women are changing this.

In September 1993, the coalition of women's organizations and politicians introduced the proposed Law of Equal Opportunities for Women, which went into effect in 1997. It guarantees women "all human rights and freedoms in political, economic, social, cultural, civil and other spheres" and stipulates that all

> "Violence against women both violates and impairs or nullifies the enjoyment by women of human rights and fundamental freedoms."
>
> Platform for Action of the Fourth World Conference on Women, Paragraph 224.

existing legislation, rules or resolutions that discriminate against women must be reformulated as must any "absence of legislation that obstructs or denies women their rights." The law reflects principles established in the United Nations Convention on the Elimination of All Forms of Discrimination Against Women and the Platform for Action agreed upon at the Fourth World Conference on Women (Beijing, 1995).

In direct response to women's success in placing "women's rights" on Venezuela's Human Rights Agenda, in September 1997 the General Director of the Ministry of External Affairs and the Minister of Justice –in speeches given on the occasion of the First Subregional Meeting to Consult on Violence Against Women and the Family– publicly declared violence against women as "an abominable violation of human rights" and "one of the best hidden and most ignored forms of violence and aggression against human beings" (Director General). Furthermore, added the Minister of Justice, "to pretend to impose any situation that destroys or prevents the full realization of human capacity in the most intimate and profound development of its personality is violence which, while not physical, is a form of unjust force...violence as we understand it is anything that attempts to stifle in men [sic] the full exercise of freedom" (Gómez 1997:1-23).

## *New Opportunities and Challenges*

Multiple pressures have created new opportunities for women's demands as citizens and for their political participation; but the same factors present challenges. For instance, one result of contemporary hardships –which many average citizens blame on corruption and an artificially induced "economic crisis"– has been the erosion of citizen confidence in public officials, especially the older men who control party politics. Another factor is a series of national strikes, protests, and attempted coups since 1991 –all of which have been predicated on demands of specific "interest groups" for justice and equality in a decade that saw the middle class shrink and the poverty level increase to 60% by some estimates. This opened new spaces for new discourses on rights, justice and equality– including women's "special burdens" of poverty and inequality.

A related opportunity is the rapid rise of non-traditional presidential candidates outside the arena of party politics. At this writing, the top candidates for the 1998 presidential election are three "independents" (not members of any political party), including Irene Sáez, a former Miss Universe and Mayor of a wealthy Caracas municipality; Hugo Chavez, the former military officer who led two attempted coups in the early 1990s; and Henrique Salas Romer, a political conservative supporting suppression of strikes and unrest. Their popularity signals public disgust with anything resembling "party politics as usual." It also opened a public discourse on what type of politician can bring honesty and family values back into democracy and the exercise of citizenship. Women leaders have capitalized on this to promote electoral reforms to increase women's participation as candidates and legislators.

## *Women's Political Participation as a Human Right and Defense of Democracy*

Proposals to increase women's political participation follow the implementation in 1989 of political and administrative reforms like decentralization and direct election of candidates rather than party slates. These reforms respond to citizen demands for greater control over the democratic process and for greater responsiveness of elected officials to local needs. The impact of these reforms on women's participation has been mixed.

CONAMU and the congressional Bi-chamber Commission on Women

report that women's representation in the national Chamber of Deputies increased from 6% in 1983 to 9.5% in 1989, but then declined to 6.6% in 1993. Representation in the Senate increased from zero in 1983 to 8.2% in 1989 then declined to 6.2% in 1993. Women show improvements in state legislatures–with a steady increase from less than 8% of the seats in 1983 to almost 13% in 1993, but there are no women governors and their representation on city councils actually declined from a high of almost 22% in 1983 to less than 13% in 1989 and only 16.4% in 1993.[3] Women have increased as a proportion of mayors from a low of 8.6% in the first mayoral election of 1989 to almost 11% in 1995. And in 1997, for the first time a woman –an outspoken feminist– was elected as President of the Chamber of Deputies. Nonetheless, representation is low in a country where half the lawyers and about a third of the judges (including 3 of 15 who sit on the Supreme Court) are women, as are over half of those with university degrees and at least 35% of those employed outside the home (Consejo Nacional de la Mujer 1996: 165; García Prince 1993; Valdes and Gomariz 1995).

Women in politics and NGOs have used these statistics to support their position that women's low representation is related to party control over selection of electoral candidates –something women in political parties had been protesting since 1988. Basing their actions on the expected passage of the law on equal opportunity, the women's coalition introduced a proposal to amend the Organic Law on Suffrage and establish a quota of a minimum of 30% representation of women among party-selected electoral candidates.[4] The quota system became law early in 1998 (in time for selections for the December 1998 and June 1999 elections). What is not clear is how or when the requirement will be implemented. A future amendment is planned to assure women's legal and formal access to participate in all public spaces, not just in political parties. How this can be operationalized still remains to be defined (Universidad Central de Venezuela 1997:45).

Another contemporary focus of women's networks and of the women who make up the CONAMU and the Bi-chamber Commission is to guarantee the implementation of international agreements and recently passed legislation. This includes a follow-up plan to implement Beijing accords and the 1997 Law of Equal Opportunity. Women's NGOs are to be major players, which represents a strengthening of networking among NGOs initiated in 1985 for the Nairobi conference and which led to the creation of the first network of women's organizations (CONG-Coordinator of Non-Governmental Organizations of Women) (Espina 1994; Pizani and Castañeda 1996: 157).

As a result, in March 1998, the Executive Branch created the Law of the National Plan for Women (PNM) –designed by women advisers to the President– to promote effective opportunities for equality through the development of public policies for "social equity." The PNM is designed for easy integration into national development plans, including the IX Plan, which establishes as a priority the "social and economic integration of women."[5] Among others, the PNM targets the eradication of discriminatory stereotypes of women and design of actions in health, education, work, culture, communication, legal guarantees, rural and indigenous issues, poverty, political participation and domestic violence. Implementation falls to

[3] Some analysts speculate that the increasing importance of local politics and the decentralization of resources have raised the stakes and, therefore, are more likely to attract men than in the past.

[4] This proposal had a precedent in the country since two of the three major political parties already had –at least nominally– a quota system of 25% and 30% respectively.

[5] The VI National Plan (1980-1985) was the first to include a focus on women.

the Consejo Nacional de la Mujer. However, the current economic crisis and political unrest threaten viability of implementation as the Plan has lost priority and little budgetary support.

### *Freedom from Violence as a Human Right*

Women politicians and NGOs define violence broadly to include poverty, sexual harassment, physical and emotional abuse, control over sexuality, and rape and incest. Discussions of violence reach the public arena primarily through media coverage of conferences and other events, through interviews with women leaders, and –increasingly –through printed and television coverage of proposed legislation and cases of raped, abused, and murdered women. The major piece of legislation is the 1996 Proposal for a Law Against Violence Against Women and the Family. Approved by the appropriate congressional committee and by the Attorney General's office, it awaits congressional approval– delayed by current economic and political problems.

Recent reports by AVESA (Association for an Alternative Sex Education) and the CONAMU point to rape and wife abuse as the most under-reported crimes and the most common forms of violence that victimize women. One police report estimates that over 77,000 women and girls are raped each year in Venezuela (a rate of 7.7 per 1000 women and girls) and that half of all women are physically abused and 80% verbally abused by their partners. Over one fourth of the cases attended by AVESA's counsellors involve sexual assault and, of these, 75% told no one (Aguilar 1998; Reinoso 1997). The recently implemented programme of locally elected, community-level "justices of the peace" reports that between 80% and 97% of their cases involve domestic violence (Gómez 1997). And the director of the Inter-American Children's Institute proclaimed that, in 1992, Venezuela led Latin America in reported cases of sexual abuse of children (Hernández Garcia 1998). The CONAMU and the Bi-chamber Commission have taken the position that women are unable to enjoy their formally recognized rights because they are prevented from doing so by violence. Thus, freedom from violence is linked to the exercise of civil and political rights–placing violence against women on both the human rights and the political reform agendas.

Since 1996, the media has supported women's campaign to redefine human rights. Articles on violence against women have appeared consistently in the national newspapers. These increased in September 1997 when Venezuela hosted the First Subregional Meeting on Violence Against Women and the Family. Support for the proposed law was greatly strengthened by having held the meeting in Venezuela. Participants discussed family violence and ways to prevent, sanction and eradicate violence against women. They agreed to formulate an international convention and country-specific legislation.

The proposed law would address numerous legislative problems not resolved by reform of the penal code. Legislation in Venezuela still conceptualizes sexual assault as "seduction" and "corruption of minors" and as a crime against "public morals and good customs" rather than a crime against a person. The law would introduce radical changes into Venezuela's legislation and challenge several legal codes. For instance, domestic violence would become a crime against an individual, eliminating a 1926 legal stipulation excusing men from liability for the "disciplining" of wives. The state would be responsible for pursuing and paying for prosecution of rape complaints and men could no longer evade prosecution by marrying the victims.

The law was developed after consulting similar legislation in fourteen countries and consists of 44 articles that propose

the protection of "legitimate rights: Respect for the dignity and physical, psychological and sexual integrity of persons, as well as the protection of the family and equal rights between men and women in the home" (Pimentel 1997). It establishes as crimes the threat or act of destroying property, wife rape, sexual harassment in the workplace, stalking, and all forms of physical and sexual assault. It contains both criminal and monetary sanctions that reinforce the seriousness of the crimes and make them easier to prosecute and establishes responsibilities for receiving and acting on complaints filed by women. It favours resolution of domestic complaints at the community level if possible–sheriffs' offices, local police, family courts, and justices of the peace.

## Conclusion

Analysis of the Venezuelan experience reveals significant progress in women's rights over a period of 8 decades–but particularly since 1982. The focus of legislative and policy reforms have shifted from practical, concrete strategies to eliminate specific forms of discrimination and guarantee legal equality, to a focus on implementation and education and a more strategic redefinition of the notion of human rights to include freedom from sexualized violence and women's equal access to political participation. These reforms are posed by women's organizations and politicians both as mechanisms to improve women's status and power as citizens and as a means to defend families and the democratic process. It is an indicator of the growing importance of women leaders and women's organizations that the most dramatic and sweeping reforms have taken place precisely in a period of economic crisis and political upheaval which might have diminished the priority given to reforms. Nonetheless, the recent deepening of crises now threaten proposed new legislation which has declined in priority as the country struggles to guarantee the coming election and survival of democracy. On the other hand, women's leadership skills and values –evidenced by sustained networking and successful reforms– offers attractive options to citizens tired of corruption and confrontational politics. And women's organizations –being politically astute– explicitly frame women's rights in precisely those terms.

Though space limitations preclude in-depth analysis, the experience of Venezuelan women suggests the importance of a *flexible* style of networking as a strategy among women's organizations–including voluntary, selective participation for shared goals and a respect for differences and abstentions. This experience also evidences the strength of cross class and cross party organizing and alliances between women in politics and government and those in non-governmental organizations and underscores the importance of using the media to maintain issues in the public eye and to disseminate new ways of conceptualizing human rights and political issues. Finally, Venezuela's women remind us that legislation is only a *basis* for action. It is critical to have a plan for implementation and assignment of responsibilities–as well as the funds to support this plan. These are the challenges for women at this time.

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"The human rights of women and of the girl child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community."

The Vienna Declaration and Programme of Action, Part I, Paragraph 18.

# Fighting for Human Rights: Women, War

by Lorna L. Lueker*

Women are at least fifty per cent of the world's population, they perform two-thirds of the world's working hours (much of their work is not recognized as occupational activity), and they give birth to and nurture successive generations. Despite women's principal roles in creating and perpetuating society they are not equal members of society. In general, women are not equally represented in governments, they do not have equal decision-making power in the workplace –or the home in many countries–they suffer from lack of adequate healthcare and education and they are subject to domestic violence at the whim of men.

Increasingly, human rights terminology embodies the demand that the unequal status of women be addressed as a violation of their rights, as a breach of the obligation of governments to guarantee equal rights to all (Tomasevski, 1993:x). Women around the world struggle daily to end oppressive cultural practices that undermine their opportunities not only for equal rights, but also for the dignity and respect that comes with basic human rights. In this article we shall examine the struggle for human rights that Zimbabwean women have undertaken for more than a quarter of a century, since they first joined the anti-colonial struggle in 1966. What they sought was –and still remains– basic human rights: the right of each person to receive an education; to receive fair and equal treatment under the law without regard to sex; to work and receive fair and equal compensation without regard to sex, to have equal representation in the government and other decision-making bodies; and to be equally entitled to the benefits of national development.

Women proved critical to the success of the Zimbabwean liberation struggle, 1966-1980. At the time of independence, they made up one-third of the guerrilla forces, and President Mugabe –who led the guerrilla movement to end colonialism– has acknowledged that without women's help the war would have been lost. He said, "by waging armed struggle, [women] created, therefore, a process generative of forces that will result in the total liberation of women... a specific and distinct organic structure to ensure the full enrollment of women and their active participation in a struggle in which they alone will reap a double reward –national liberation and, in its context, their own liberation" (Mugabe, 1984:8). In exchange for carrying weapons, hiding and feeding guerrillas, and "by transforming themselves into warriors, the archetypal male role, and by wandering far from their fathers' homes with neither husbands nor chaperones, the women achieved a dramatic break with the past and they were fully conscious that they had done so" (Lan, 1985:212). In giving up their homes and becoming guerrillas, women assumed that their equal participation in the struggle would soon translate into an equal allocation of human rights in the formation of the new nation. The rest of this article sets out to answer the question: Did women's importance in the struggle bring them what the leadership led them to believe: that traditional patriarchal subjugation would be replaced by equality and human rights?

The answer is complex. The steps taken by the Zimbabwean Government since independence in 1980, while proving beneficial to women, have been primarily gender-neutral, i.e., not undertaken to explicitly benefit women. These actions, although helpful, have done nothing to end *de facto* inequalities, or alter the limited opportunities that women have, in practice, for exercising and enjoying

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# and Social Change in Zimbabwe

their rights. It has long been recognized by human rights workers that equal treatment of persons in unequal situations perpetrates rather than challenges discrimination (Tomasevski, 1993:xiii). In Zimbabwe, both principal ethnic groups –the Shona and the Ndebele– are patrilineal, patrilocal and quite patriarchal. The lack of efforts to remedy this discriminatory heritage of patriarchy are evident and mean that simple formal recognition of equal rights for women is insufficient.

Certainly, as a result of the national liberation struggle in Zimbabwe, women have overcome some of the more repressive aspects of a society, which did not recognize them as full and equal human beings. Undoing the damage imposed by colonialism –in which male privilege and female subordination were codified and sanctified without a corresponding set of male responsibilities to provide a set of checks and balances against abuse and exploitation of women– has been a significant start.

Central to the argument of this article is the notion that one key legacy of women's participation in the national liberation struggle has been the widespread consciousness-raising that took place among the women of Zimbabwe. As a result of their participation in the war for independence, many women came to understand basic human rights and gained the ability to question assumptions, challenge abuses, and demand for themselves and their children a better way of life. The ability of Zimbabwean women to raise difficult questions and act on their own behalf is a substantial gain. However, at the same time, it is important to remember that the goals of the liberation struggle –which were freedom and equality for all– have not been achieved. Some women were empowered in the process of revolution and national independence. However, despite advances in the legal, political, and educational realms, women still lack the full complement of basic human rights.

Using data collected through interviews with female ex-combatants, conducted in 1992 and 1993, as well as statistical data collected in Zimbabwe and the United States 1992-1998, we will examine advances and deficiencies in women's human rights. Despite enormous legal gains and greatly improved educational opportunities, today, many female ex-combatants in Zimbabwe are barely able to eke out a living and they will not publicly identify themselves as ex-combatants. Clearly, these women, when they chose to leave their families and risk their lives to fight for human rights for all in Zimbabwe, had greater achievements in mind.

To better understand the extent to which women's participation in a national liberation struggle entitled them to basic human rights in a liberated society, the remainder of this paper uses a human rights lens to examine the basic issues of:

1. women's legal status,
2. women's representation in government,
3. women's empowerment through education,
4. women's economic participation, and
5. women's access to health and welfare.

Finally, by way of conclusion, the paper ends with the most egregious examples of the failure of the liberation struggle to provide equality and human rights for women in Zimbabwe.

## *Legal Status*

The creation of legal mechanisms to counter sex discrimination is one approach to women's rights as human rights (Bunch, 1991:13). At independence the new government of Zimbabwe passed a number of laws that enhanced the position of women. The

most important of these laws was the Legal Age of Majority Act, 1982. This law granted majority status to all Zimbabweans at the age of eighteen. Prior to the passage of the Legal Age of Majority Act, women remained jural minors all of their lives, under the guardianship of a husband, father, son or other male relative. Because women never reached legal status as an adult, they could not open bank accounts, borrow money, enter into business contracts, or marry without the consent of a male guardian.[1] While passage of this law was not aimed specifically at women, it has provided women the most significant opportunity for change since independence.

Other laws enacted which have enhanced women's legal rights and improved conditions for women include:

1. the Matrimonial Causes Act, 1985, which was designed to allow women a share of marital assets and to retain custody of children should a marriage dissolve, and

2. the Maintenance Act, 1978. Although the latter Act was passed prior to independence, it was highlighted by the Mugabe Government to enable a parent to claim maintenance from the non-custodial parent. The idea was to make all parents liable for their children.[2] Two other related Acts which also deal with the payment of maintenance are the Deceased Persons Family Maintenance Act, and the Maintenance Orders (Facilities for Enforcement Act, 1978). The first enables a surviving spouse and children to retain the matrimonial home and household goods and effects and claim maintenance from the deceased's estate. The benefit of these laws are twofold:

1. a woman is no longer automatically left destitute and poor when her husband dies because his relatives come and take everything and

2. a woman is no longer forced into widow inheritance, whereby she is forced to marry a relative of her deceased husband. These laws affirm women's rights by helping to break a socially constructed legal as well as economic dependency of women on men.

Laws were also instituted to help prevent discriminatory practices in the public sphere. For instance, the Sex Disqualification Act of 1982 gave women the right to hold public office and to participate in all public functions. The Maternity Leave Regulations of 1982 provided legal protection so that women could bear children and return to work. The Equal Pay Regulations and the Minimum Wages Act were also attempts to end the exploitation of female labour and afford women some protection.

Although there has been widespread legal and political reform in Zimbabwe, many changes have not been done on behalf of women, but rather to update the colonial-imposed legal system. These new laws do not go far enough to protect women and afford them full equal or human rights. When Zimbabwe adopted a new constitution after independence in 1980, it prohibited discrimination on the basis of race, tribe, place of origin, political opinions, color and creed. However, it did *not* prohibit discrimination based on sex or gender. The failure to take sex into account when developing this document demonstrated that the government was unwilling to grant women full equal protection under the law, despite revolutionary rhetoric. "Non-discrimination requires governments to undertake direct action to

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[1] This change to legal adult status did not come without much argument from both men and women. Fathers were afraid that they would lose their rights to bride wealth and to damages should a daughter engage in premarital sex. Women feared loss in status should their future husband not pay bride price for them. Women I interviewed said that bride wealth was not payment for them as a piece of property, but a form of recognition of their worth as a producer, as someone's daughter, and for their value as a wife and mother.

[2] Shortly after independence from 1981-1986 there was a rash of "baby dumping." Young women found themselves pregnant and abandoned by the child's father. If they did not have family or other means of support, poverty conditions forced them to take drastic measures and many simply abandoned their babies.

ensure the observance of non-discrimination by all public authorities and in all the public services, that is in all the areas which are under direct control of the national authority" (Tomasevski, 1993:47). Instead, Zimbabwe has turned to Affirmative Action and quota programmes to "protect" women. This categorization of women as a group that needs special favours or protections limits women's abilities to fully participate in society, thus limiting their human rights and limiting their potential to develop themselves and the nation.

### *Political Participation*

Legally, there is no barrier to women's participation in public and political life in Zimbabwe. Legislation passed since independence, the new Constitution and the 1990 Electoral Act all allow women to vote in general and by-elections and to stand for election in Presidential and Parliamentary elections. The Sex Discrimination Removal Act entitles women to hold public office and to exercise all public functions established by national law on equal terms with men. Despite legislative reforms, however, cultural practices lag far behind. Although laws have been enacted and quota systems put into place to correct the injustices that women faced under colonial laws and customary practices and to create equity between men and women, women are constrained in exercising these new legal rights. The reality is that laws and legislated equality are not enough, the majority of women in Zimbabwe today are poor and are stranded in the rural areas. These women are marginalized from the political process of decision making and policy implementation. Women's «participation» thus is most often limited to voting for male candidates (Essof and van der Wijk, 1996:10).

Limitations placed on women both by the legal system, and, more importantly, by custom and tradition, mean that most women in Zimbabwe are still dependent on

> "While women are increasingly using the legal system to exercise their rights, in many countries lack of awareness of the existence of these rights is an obstacle that prevents women from fully enjoying their human rights and attaining equality. Experience in many countries has shown that women can be empowered and motivated to assert their rights, regardless of their level of education or socio-economic status. ... Provision of human rights education is essential for promoting an understanding of the human rights of women, including knowledge of recourse mechanisms to redress violation of their rights. It is necessary for all individuals, especially women in vulnerable circumstances, to have full knowledge of their rights and access to legal recourse against violations of their rights."
>
> Platform for Action of the Fourth World Conference on Women, Paragraph 227.

men. The enactment of anti-discrimination laws to protect women does not change the cultural milieu that dictates that women's roles conform to a pre-determined patriarchal system and focus on caring for home, farm, husband and children. Women who break out of this mold and express an interest in politics are regarded as unfeminine and aggressive and, therefore, not really women.

Taking an active part in political and public life also presupposes the existence of a support system in the domestic domain. A married woman who wants to be politically active has to find help with household chores and child care and must have a spouse who is agreeable to her working closely with male colleagues. Therefore, it is relatively rare for women to venture into politics in their own right because they often find it difficult to gain family and public, moral and financial support for their political ambitions.

The general elections since independence have resulted in the formation of male-dominated governments. In 1985, eleven women were elected to the 140 posts in the Parliament and Senate, representing 8%. Robert Mugabe, recognizing women's support for the liberation struggle, appointed four women to his 35-member cabinet, and two of these appointees were at the deputy minister level, 11%. He also appointed one woman as a Permanent Secretary, out of 32 posts, 3%. However, he did not appoint any women as District Administrators or as Provincial Governors. Women, then, made up 11%, at the most, of Zimbabwe's first two post-independence governments (Essof and van der Wijk, 1996:10).

Nor have the numbers of women holding public office shown much change since the early post-independence days. The revolutionary promise of women's full and active participation in the political process did not pan out in the 1990 and 1995 governments: in 1990, 17 of the 150 (11.3%) Members of Parliament and the Senate were female. Of the 17 women members of Parliament, 4 were appointed by the President and 1 was ex-officio. There were 2 women appointed by Mugabe as Ambassadors, out of 31 positions, 6.4%. Of the 22 mayors in Zimbabwe, only 1 was a woman, 4.5% (Essof and van der Wijk, 1996:10). The 1995 elections in Zimbabwe brought 12% women in the Parliament and Senate and 3% into the Executive Cabinet (Sivard, 1995:41).

The data indicate that women are remaining at a near-steady state in terms of being elected or appointed to political positions. On the one hand, this could be interpreted as a failure of the Mugabe government to live up to its promises of gender equality. On the other hand, it is important to recognize the accomplishments that women have achieved in the politico-legal realm. Women have gone from the status of jural minor to 12% of the Zimbabwean Parliament (Essof and van der Wijk, 1996:10). These accomplishments are important because the struggle for equality is not over and what began as a ripple may slowly turn into a tidal wave. What is important here is that women are running and being elected to public office. Moreover, Zimbabwe's 1995 rates –12% women in Parliament and 3% women in the Cabinet– are not too different from regional and world-wide averages. In 1995, African women (40 countries) averaged 7% of those elected to Parliament and 5% of the Executive Cabinet; worldwide (139 countries), women comprised 11% of National Parliaments and 5% of Executive Cabinets (Sivard 1995:39,41). Given that very few other countries in Africa and the world have had recent liberation struggles in which women were so important, some might find it disappointing that Zimbabwean women's political power is not significantly better than these more global averages.

While the number of women in political office has stagnated in recent

years, women continue to be active in civil society, a portent for possibly greater gains in their human rights.

## *Education*

Zimbabwean women's ability to participate in civil society and to protect themselves against legislative changes, which will clearly impact their lives, is made possible by the gains in education. Knowledge is power. During the liberation struggle, aside from fighting a guerrilla war, one of the main efforts made was to educate Africans to run the country at the onset of majority rule. A number of women were sent to Europe and the United States to be educated. It is these women with their experiences outside of Zimbabwe and with their increased levels of education who are today questioning the patriarchal form of social organization and pushing for human rights for women in Zimbabwe. It is the lack of education that limits opportunities available to women. If women are to obtain human rights they must have not only full access to formal education, but the content, orientation and impact of education on women must be examined thoroughly (Tomasevski, 1993:24).

Zimbabwe's 80% adult female literacy rate is second only to South Africa among Sub-Saharan African countries. In addition, it also has achieved a high level of success in providing primary education to its people.[3] In fact, during the 1980s Zimbabwe came close to attaining full gender parity in primary education. The rate of primary school enrollment for males and females rose overall from 47.59% in 1980 to 49.54% in 1989. On a global scale, girls are 46 per cent of all students enrolled at the primary level (Sivard, 1995:20). In Zimbabwe, girls averaged 48.52 per cent of students enrolled at the primary level for 1980-89. However, enrollment in school is not enough. It is also important to look at girls' average completion rates. While there is gender parity in enrollment there is not the same parity in completion rates. During the same eight year period, the completion rate for girls was significantly lower than that for boys: 72% vs. 78% (Central Statistical Office 1993). These data alone raise questions about access, content and orientation to education. The number of females in school continues to slowly decline through secondary education and on to the University level, where in 1992 women made up 26% of the full-time student body. Statistics from the University of Zimbabwe show that in 1992 there were only 2,057 full-time female students at the University, while there were 6,003 men. In 1995, these numbers had actually declined at the undergraduate level. According to United Nations data, the number of undergraduate women in higher education degree-granting programmes was 2,527 out of 12,702, or 20%. However, women at the graduate level made up 25% of those enrolled, or 314 out of 1,237 students (UNESCO, 1997:3-292).

In summary, women in Zimbabwe have above-average access to education in comparison with the rest of Sub-Saharan Africa. Female enrollments are near parity in grade school and still average around 41% at the lower secondary levels (from 1 through 4). At the upper secondary level, there is a decline in female enrollment to about 30%. Finally, women at the university make up 20-25 per cent of the full-time students. Overall, Zimbabwe ranks sixth in Sub-Saharan Africa in terms of female education relative to males.[4] To reiterate, access to education is critical to improving human rights for women.

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[3]Before independence, Zimbabwe had a dual system of education. Whites were provided free, compulsory education. Education for Blacks was expensive and voluntary.

[4]It should be noted that, in terms of rates of secondary education for females in Africa, the fact that females make up at least 38% of enrolled students at the secondary level in Zimbabwe is outstanding. However, females are still denied education as a result of gender stereotypes and structural and cultural forces.

Women with higher levels of education are:

1. better able to fully participate in civil society,

2. better able to articulate demands on their own behalf, and

3. better able to compete for jobs in the formal wage earning sector. Despite their levels of success in education, the lack of gender equ. 'ity is evident in an examination of the underlying causes for declining enrollments in upper grades.

In assessing the reasons for the higher drop-out rate of females in upper grades and in higher education we encounter a patriarchal system or cycle of deliberate discrimination and a female socialization process that encourages their submission to that discrimination. Both can be extremely limiting to women's advancement. The variables that keep women from advancing to parity in education beyond the primary level are unequal treatment of female students by teachers, pressure to drop out if a girl becomes pregnant, and parents' perception of the relative rate of return on investment of female vs. male education.[5] The perception of parents is accurate: since males have better access to the formal labour market and higher wages, they are, indeed, a better investment. And the social returns from girls' education are thought to go to her future husband's family (because of the system of patrilocal residence). Finally, families who educate their daughters face «opportunity» costs. In rural areas, the labour of young women is used to help the mother; they perform agricultural work and care for younger siblings. Another reason that some families give for not educating their daughters beyond the primary level was to protect them from sexual harassment. A study conducted in 1991 by the World Bank shows that 50% of teacher dismissals result from sexual harassment of students. The report states that: "Records on the dismissal of 48 teachers during recent months reveal that 54 per cent were discharged for sexual offenses against students" (World Bank, 1991:55-56). In 1988 and 1989 combined, 1006 teachers were dismissed for misconduct. Of these, approximately 500 are estimated to have been guilty of sexually molesting female students (1991:55-56).

Limiting the education of girls based on male privilege hurts not only individual women but all of society. Key to implementing human rights and breaking the cycle of patriarchal domination is to find ways to reach those whose formal education stopped before such concepts as «rights», «responsibilities», and «equality» had any real meaning (Tomasevski, 1993:25).

### *Economic*

In Zimbabwe the vast majority of women are employed in the informal wage-earning sector and it is difficult to separate the woman as worker vs. the woman as wife and mother. Equal rights or human rights for women in all sectors of the labour force are essential for the health, wealth and well-being of families. In theory, women in Zimbabwe now enjoy legal freedom of employment; whereas, under colonialism, black women were permitted to work only as nurses or teachers in black institutions. But in practice, the extent to which women have gained employment opportunities varies by economic sector, and it depends upon whether women are living in urban or rural areas and the extent to which they are educated.

In the rural areas, as a result of male migration to urban areas, commercial farms, and mines, approximately 40% of the households are headed by females (ZWRCN, 1997:9). This means women are *de facto* heads of households in their husband's absence. They maintain the farm, producing small-scale commercial crops, which they sell to the Grain Marketing Board (GMB). However, payment for

[5] In addition to school fees, families must also pay building levies, uniform expenses, book costs and exam fees.

crops is made to the holder of the GMB card and this is usually the husband. In order to earn income under their own control, rural women who have access to land raise crops on their own account; otherwise they trade in the market, raise small animals, make items for sale to tourists and/or make beer. Rural women provide 67% of the casual agricultural labour and the majority of labour in the rural informal sector (ZWRCN, 1997:9). Overall, women, with the help of their children, provide 80% of the labour requirements for the rural areas (World Bank, 1991:vi; ZWRCN, 1997:9). Women work approximately 63.8 hours per week to perform the necessary labour tasks in the rural areas compared to 43.1 hours for men. Girls work 42.5 hours per week compared to 32.7 for boys (ZWRCN, 1997:9).

Since independence, there have been significant reforms in agriculture which were supposedly to enable women to benefit from land distribution and credit programmes. The most important change is that women can now hold their own accounts with the GMB and be paid directly for the crops that they grow and sell. However, these gains have been offset because women are denied access to land. This is a major issue in Zimbabwe and due to the failure of land redistribution after independence, there remains a severe shortage of land available to the Zimbabwean people. Exacerbating the problem, women receive less than 10% of the credit directed to small holders and merely 1% of the total credit to agriculture (ZWRCN, 1997:9). This despite the fact that women are the majority of the rural population and the primary farmers, are better credit risks than men and generally have superior repayment rates (Blumberg, 1998:17). Some women are able to take advantage of training programmes to become Master Farmers. Nevertheless, less than half of rural women have access to agricultural extension education or other assistance. For the most part, then, rural women remain unpaid workers in the home with some income-generating activities that they carry out "on the side." These women have few rights and very limited access to services and are thus vulnerable to exploitation.

Urban women with limited education, work in «feminized production» sectors, such as textiles, food processing and sales and care-giving services (hairdressing, dressmaking, etc.). These women face meager wages and exploitation by both male and female bosses. Urban women with some education are empowered by their education and their income, but they still face sexual harassment, the «last-hired-first-fired» syndrome, and cultural backlash if they do not conform to accepted standards of female productive and reproductive roles. The catch-22 here is that it is difficult for working-class women to secure well-paying, formal sector jobs due to laws designed to protect women. These laws stipulate that women bearing children must be given maternity benefits, thus making women more expensive to hire. But if a woman tries to avoid this dilemma by refusing to bear children, then she is considered a prostitute or some other less than virtuous person.

### *Health and Welfare*

While access to health care is not defined as a legal human right, Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) obliges governments to create conditions which would assure medical attention to all in the event of sickness (Tomasevski, 1993:64). An examination of Zimbabwe's overall profile of health and welfare shows statistics which are in the middle range for a developing country. According to the Health Profile of Zimbabwe, found in the *1997 Human Development Report*, Zimbabwe ranks 129th out of 175 developing nations profiled. In terms of Sub-Saharan African countries, it ranked fourth, behind only Botswana,

Namibia and Gabon. In actual terms of quality of life for women in Zimbabwe, however, it should be noted that the average life expectancy is only 57 years (Sivard, 1995:41). Access to services is strongly linked to where one lives. Generally, urban Zimbabweans have much greater access to water, sanitation, electricity and phone services. But seventy per cent of Zimbabwe's population remains rural. These data are revealing of gender inequality when one realizes eighty-five per cent of the rural population is women and children (ZWRCN, 1997:9). There are 110 women to every 100 men in the rural areas. In urban areas, there are only 85 women to every 100 men. The lack of adequate sanitation and safe water in rural areas affects women far more than it does men.

The greatest success and the worst failure of the Zimbabwean healthcare system, however, are not a function of geography. The success for Zimbabwean women in terms of health and welfare resides in women's use of contraceptives. One in three Zimbabwean women uses modern birth control, this is one of the highest levels of contraceptive practice in Sub-Saharan Africa (Chitiga, 1994:23). This has allowed some women to control their fertility and has contributed to dramatically reducing infant mortality rates. The failure of the healthcare system is its inability to protect women from HIV infection and AIDS. It is estimated that one out of every five sexually active adults is infected with HIV and that young women are contracting the disease in their late teens (Chitiga, 1994:23).

## Conclusion

In the analysis of Zimbabwean women in post-independence, one readily can attest that change has occurred and that women are better off than they were in colonial Rhodesia. Women have full citizenship rights, at least formally. Legally, they can make demands on their own behalf. Yet, many women in Zimbabwe remain dissatisfied with their limited gains. The largest disappointment of the struggle, repeated again and again by the women interviewed, is the guerrilla leadership's failure to make human rights women's rights. While much has been done for women, the underlying tenets of patriarchy and male control of female production and reproduction have retained their force. The continued prominence of patriarchal norms and values that deny women full human rights in Zimbabwe are illustrated by three disturbing forms of backlash against women's emancipation.

1. Police round up of women. In September 1983, the government authorized the arrest of women countrywide on the pretext that women walking around at night were prostitutes. "All those arrested, including nurses coming from night duty and women on their way home were forced to plead guilty to a crime they had not committed. The crime of public soliciting" (Women's Action Group, 1993:12). In the urban centre of Harare, women were arrested merely because they were "young, single, and showed evidence of earning their own living" (Jacobs and Howard, 1987:42). A University of Zimbabwe sociologist, Rudo Gaidzanwa (1992:112) noted that, "The most notable feature of the whole saga was the silence of the Ministry of Women's Affairs and its complete inability to defend black women from state harassment and the violation of their human rights". The fact that the Government would allow such a random round-up of women illustrates the half-hearted nature of its commitment to women and human rights.[6]

2. Calls for the repeal of laws beneficial to women. Two cases stand out. First, in 1996 the Zimbabwean Parliament attempted to pass a

[6] This trend of random arrests was continued for important meetings such as the Pope's visit and the Non-Aligned Movement Summit in 1987, among others (Women's Action Group, 1993:12).

Constitutional Amendment, Bill No. 14, that would effectively end the right of foreign husbands of Zimbabwean women to live in the country unless they possessed specialized skills or brought in US $50,000.00. The legislation was justified on the basis of the patrilineal, patrilocal practice that women go to live with the husband's family at marriage. The public debate on the issue illustrates the persistence of patriarchal norms.

The second and the most serious challenge to women's progress in Zimbabwe, however, is the attempted repeal of the Legal Age of Majority Act. Informal discussions took place in 1992 about repealing the law. Again in 1998, some Parliamentarians have called for its repeal (Moyo, 1998:1). Livingstone Manhombo, who supports the repeal of the act, said, "Zimbabweans consider their offspring as children even at the age of 18. What is good in England and America does not necessarily mean the same should apply to Zimbabwe" (Moyo, 1998:1). John Tsimba, also a member of Parliament, claimed that the Act had caused a lot of feuds between families because of the application of certain provisions (Moyo, 1998:1). Rudo Kwaramba, a woman activist, maintains that "the Parliamentarians have failed to understand the implications of their call for the Legal Age of Majority Act to be repealed. By just focusing on marriage, the Parliamentarians are not looking at the other consequences of the Act" (Moyo, 1998:1). The irony is that this discussion in Parliament took place just two weeks after the Zimbabwean government presented its report on the Convention on the Elimination of Discrimination Against Women.

3. Manhandling female students in modern dress. Finally, the problem of men demanding control of women's lives persists. On November 10, 1992, a young woman at the University of Zimbabwe had her mini-skirt torn from her body. The 100 male students who attacked her said she was indecent and deserved to be treated as such (Jackson, 1993:22). In several copycat incidents since then young women in miniskirts and tight-fitting slacks have been stripped, and sometimes assaulted, by young men at busy bus stations. The most recent of these attacks again occurred at the University of Zimbabwe, where another young woman had her mini-skirt ripped from her body by males who deemed the woman a prostitute and worthy of degrading treatment because of her clothing. These actions have led to outrage on the part of women students, faculty and administrators. The failure of the liberation movement to educate young men on freedom of choice for women is evident.

The success of the struggle is that young women are willing to continue the struggle. On 9 April 1998, more than 100 Zimbabwean women clad in miniskirts, pants and other forms of dress protested against the increasing incidence of violence against women. The protest demonstrated that women would no longer tolerate being intimidated and harassed. That they were tired of being stripped literally and figuratively –it's not just a skirt, it's respect, dignity and human rights, which are being stripped away.

Women's participation in the Zimbabwean liberation struggle provided a clear opportunity for the advancement of women. As a result of the liberation struggle and women's efforts therein, laws have been enacted giving women certain rights in society. Educational advancement for women is apparent and in fact, is the most successful outcome of the liberation struggle, aside from national independence itself. Women have gained from becoming part of the formal wage-earning sector across the board in Zimbabwe, and have gained by having the income they earn remain under their own control. Finally, women have the ability to form

organizations and continue to push for further advances in society, although their progress in the political arena is currently stalled. Overall, the liberation struggle empowered some women to be fully active members of society and improved some women's ability to provide for themselves and their families.

But despite the successes of the liberation struggle, women who participated maintain that the Government did not fulfill its promises of equality and human rights. Women have independence, but they do not have freedom. Their lack of freedom is evidenced by the indiscriminate arrests of women in urban areas, the public stripping of women's clothes from their bodies, and the continual attempts to repeal laws favourable to women's emancipation while attempting to pass more restrictive legislation. Thus, women are not free to fully participate in society. The underlying patriarchal nature of Zimbabwe –including the ideology that proclaims men as leaders and women as followers– was little changed despite women's active and crucial participation in the liberation struggle. So for women, "*a luta continua*"–their struggle for full human rights continues.

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# A TRILOGY OF BASIC HUMAN CONCERNS:

## Human Rights, Sustainable Human Development, Human Security-Excerpt

by Dr. Üner Kirdar*

### *A New Trilogy*

Lasting peace and security depends on a new paradigm –the trilogy of basic human concerns, ...

a. Human rights for development;

b. Sustainable Human Development and

c. Human Security.

The realization of this paradigm would not only generate economic growth worldwide, but also will distribute its benefits equitably. It will regenerate the environment, instead of destroying it. It will empower people rather than marginalize them. It will enlarge people's choices and their opportunities and provide them with opportunities to participate in decisions that affect them.

Despite the many advances in the second half of the 20th century, there is still a large unfinished national and global agenda to be completed in the quest for empowerment of people.

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Therefore, perhaps the most urgent need, both at national and international levels, is a political consensus on a renaissance in development thinking. True development requires a balance between economic growth rates, sustainable human development goals and human rights norms. Without this balance, long-term development cannot occur and progress in meeting people's goals will never be achieved and sustained. Therefore, all development efforts need to be people-centered. This means:

- A renewal of the social contract between the State and the people, putting people, especially poor people, first; higher standards of living for all; full employment; social progress; reduction and control of inflation; and political and personal freedom.
- A new system for monitoring progress in achieving and maintaining human rights and responsibilities for development must be established at the national level.
- National strategies should be developed to empower people and increase opportunities for productive employment.
- Role, rights and responsibilities of the private and third sectors, civil society and media in empowering people must be recognized and defined.
- Social spending should be the last thing to be cut in structural adjustment programmes. Subsidies for the rich should be cut before subsidies for the poor.
- Safety nets that address areas of health, education, unemployment, falling incomes should be an integral part of social policy, and access of the poor to health, education, clean water and other social services must be improved.
- Women's access to basic education, skills training, political participation and decision making, healthcare, family planning, productive resources and markets should be expanded.
- Expansion of productive and remunerative employment should become the central goal of all political, economic and social policies.

Employment has multiple dimensions in people's lives. It is not merely an economic means to generate financial resources. Far more important, it gives people a sense of dignity and integrates them into their society.

- Investments must be backed by a higher rate of domestic savings.
- Government policies must be designed to unleash people's creativity and energy and enable them to become self-employed or entrepreneurial.
- Respect for human rights, freedom of expression to worship and association and true economic and social justice are the cornerstones of stable societies. Therefore, each government and each society must become more tolerant and respectful, show more solidarity with one another, and halt violence. The management of expectations and pluralism are crucial in this process.
- The civil society, educational institutions, media and individuals all have responsibilities to expand moral horizons to

include values of solidarity, tolerance and partnership. The government should use public policies to promote solidarity, unity, partnership, and tolerance of multiculturalism with devolution of power, electoral reforms, and respect for different cultures, languages, and faiths in society.

...At present, Governments and intergovernmental organizations are no longer the sole actors and agents in promoting the establishment, evaluation, management and improvement of the trilogy of basic human concerns, at the national and global stages. Assisted by remarkable advances in information technology and a worldwide process of democratization, today non-governmental and civic organizations, media networks, private sector and multinational corporations, local authorities, grass-root and community-based organizations, associations, foundations, academic institutions, etc. are playing a very dynamic role in promoting and protecting human concerns, as well as shaping important strategies according to their own rules, priorities and values.

...Some governments make a mistake by adopting the hypocritical and biased policy by making a distinction between the right to development and other civil and political rights. By not ratifying the International Covenant on Economic, Social and Cultural rights, they consider these second-class rights, as unenforceable, non-justifiable and only able to be fulfilled over time.

As recognized again and again by different international documents, human rights are indivisible, inalienable and universal. The emphasis on one aspect can and should not be used to detract from the promotions of any other aspect of human rights.

Poverty is a brutal denial of human rights. Due to such an approach, despite significant progress made in the last half of this century in addressing problems of human deprivation, well over one billion people on the earth live in circumstances of extreme poverty, homelessness, hunger and malnutrition, unemployment, illiteracy and chronic ill-health... This massive scale of marginalization raises serious questions, not only of development, but also basic human rights and political security.

By now we have learned that peace, economy, environment, social justice and democracy are all an integral part of the whole. Without peace, human energies cannot be productively employed. Without economic growth, there can be no sustained, broad-based improvement in material well-being or ecological balance. Without environmental protection, the basis of human survival is jeopardized. Without social justice, mounting inequalities threaten social cohesion, and without the channels to participate in local politics developmental freedom remains fragile and perpetually at risk.

...Therefore, for each government a package of integrated political, economic and social policies is essential for the maintenance of political peace and social justice.

It is high time for each Government, on the occasion of the 50th anniversary of the Universal Declaration of Human Rights, and the turn of the century to lead its own country and people to a new millennium. This can be done by preparing them for a more interdependent world, for the information age and the global economy, by expanding their opportunities, prosperity and human rights and by maintaining fiscal discipline, opening more markets and investing more in people.

For these to happen, they need new global perceptions and vision, long-term perspectives and bold leadership. ■

"The gap between the existence of rights and their effective enjoyment derives from a lack of commitment by Governments to promoting and protecting those rights and the failure of Governments to inform women and men alike about them. The lack of appropriate recourse mechanisms at the national and international levels, and inadequate resources at both levels, compound the problem."

Platform for Action of the Fourth World Conference on Women, Paragraph 216

# News corner

### *Rights of women cabaret dancers*

INSTRAW is pleased to have received from the General Consulate of Switzerland in the Dominican Republic copies of an informative brochure (in French and Spanish) for those women who go to Switzerland with a work permit for cabaret dancers (L permit). A copy of this brochure is given with each visa issued to women by the Consulate. Prepared by the Swiss Federal Office for Equality between Women and Men, this brochure clearly outlines the rights that these women have with respect to their working hours, vacation time, commissions for intermediaries, and cancellation of the work contract. Also included is information regarding social security benefits, taxes and housing as well as protection rights for pregnancy and victims of crime. The brochure points out that prostitution is not illegal in Switzerland, however bearers of the L permit are not allowed to practice prostitution. The brochure plainly states that no one, not even employers, can force women into prostitution against their will.

The Consul General of Switzerland in the Dominican Republic, Mr. Jacques Gremaud, informs that this brochure has resulted in part from the numerous attempts made by this Consulate to sensitize authorities in Switzerland. Although the Consul General recognizes that this brochure does not solve the problems arising from the work permits, it is essential information that these women should have. INSTRAW sends its most heartfelt congratulations for such an initiative.

### *Affirmative Action in France*

PARIS, June 17 (AFP) –France's Socialist Government Wednesday called for a constitutional amendment to give women … more clout in the halls of power. Unveiling a bill before cabinet to enable the affirmative action amendment, Justice Minister Elisabeth Guigou said: "This is a great day. Equality for women, what a joy!" The bill, if approved by both houses of parliament, would add an article to the more than 200 year old French Constitution saying "the law favours equal access for men and women to mandates and positions." In fact, the law would open the way to affirmative action, positive discrimination through legislation on political, economic and social matters.

French women were among the last in Europe to win the right to vote, in 1944, after decades of struggle … While French women make up 53 per cent of the population, it was only after last year's Socialist victory in general elections that they increased to 12 per cent their representation in the National Assembly or lower house with 63 seats in the 577 member parliament. Previously the male-dominated house had only six per cent female membership, the second lowest figure in Europe after Greece.

"Now there are no further obstacles in the Constitution on political equality," said Guigou, one of the most senior cabinet ministers. Warning the leftwing coalition government not to pat itself on the back too soon regarding women's rights, conservative President Jacques Chirac said at the cabinet meeting that "a change in thinking is needed and equality between men and women must be put into practice. Nothing will change unless people begin to think differently. And they must change, because otherwise no constitutional amendment nor legislative bill will suffice to give women their proper place in society in general, and in politics, in particular." Prime Minister Lionel Jospin, who has appointed eight women ministers to his 29-member cabinet, retorted that the amendment plan was "already proof of a change in thinking. It is women themselves who have forced us to change our way of thinking," he added.

Both Jospin's Socialist Party, which is committed to a 30 per cent quota for women, and Chirac have repeatedly called for women to play a more prominent role on the political scene to give new life and impetus to French democracy.

### *Women's reproductive rights in Peru*

Women's rights organizations in Peru have long been active on reproductive rights issues. More recently, several women's organizations including Comité Latinoamericano para la Defensa de los Derechos de la Mujer (CLADEM-Peru) [Latin American Committee for the Defense of Women's Rights] and Centro de la Mujer Peruana Flora Tristan [Flora Tristan Centre for Peruvian Women] have been documenting cases of involuntary sterilization. As a result of these efforts, and following other recent reports of involuntary sterilizations, women's organizations have been vocal in their call for increased government accountability to women in their nation. The Comprehensive Women's Movement, formed in 1966 to further women's rights and participation in civil society, issued a statement regarding their view of recent events in Peru. This movement is composed of women from all of the leading women's NGOs, feminist organizations, grass roots organizations and cultural groups as well as professional women, political activists, writers, artists, businesswomen, students and others.

Peruvian women's organizations have called for the defense of women's sexual and reproductive rights. While denouncing practices that "violate the right of informed consent and harm women's health," Peruvian women's organizations have reiterated the "right [of women] to have access to the widest range of contraceptive methods to implement ...[their]... decisions free from any form of coercion, deceit and violence." These organizations have also called upon the Peruvian state "to place the widest available range of contraceptive methods within the reach of *all women*, independent of their marital status, socioeconomic situation or ethnic and racial characteristics" (emphasis in original). They have also called for women's organizations to be allowed to influence state decisions and statements. Women's organizations have "not accept[ed] the protagonism of those who today wish to present themselves as defenders of women's rights, but whose actions show them to be the heirs of a long political and religious tradition hostile to the rights and freedoms of women, particularly in the field of reproductive and sexual rights."

The Center for Reproductive Law and Policy (CRLP), a reproductive rights organization, supports the call of Peruvian women's organizations for the defense of women's sexual and reproductive rights. Their support includes the dissemination of an unofficial English translation of the statement issued by the Comprehensive Women's Movement. CRLP urges governments to comply with their international and domestic human rights obligations and donors to satisfy their international commitments as articulated at the 1994 International Conference on Population and Development (ICPD). A core principle of the ICPD states that:

Everyone has the right to the enjoyment of the highest attainable standard of physical and mental health. States should take all appropriate measures to ensure, on a basis of equality of men and women, universal access to health-care services, including those related to reproductive healthcare, which includes family planning and sexual health. Reproductive health-care programmes should provide the widest range of services without any form of coercion. All couples and individuals have the basic right to decide freely and responsibly the number and spacing of their children and have the information, education and means to do so. (Principle 8)

For more information, contact: The Center for Reproductive Law and Policy, 1146 19th Street NW, Washington, DC 20036, USA. Tel (202) 530-2975, Fax: (202) 530-2976.

### *Taliban close down girls schools in private homes*

KABUL, June 16 (AFP) Afghanistan's hardline Islamic militia have closed down all private girls' schools and women's vocational centres in Kabuk, calling them anti-Taliban propaganda centres, a senior official said Tuesday. The Institutions set up last month were run mostly by female Afghan teachers for girls aged up to 10 years unable to go to normal schools after the Taliban banned female education. The schools were operating "against the Islamic Sharia (law)" and violated the principles of Taliban rule,

Mawlawi Qalamuddin, the minister in charge of the militia's department for fostering virtue and suppressing vice, told reporters. Qalamuddin, whose ministry is referred to here as a religious police force, said some of the courses run by "outsiders" were spreading anti-Taliban propaganda.

The girls' schools and vocational centres for women sprang up in various parts of the Afghan capital with help from foreign non-governmental organizations in response to the Taliban ban on education for females, imposed after they seized the city in September 1996. Residents said the institutions set up in private premises had curricula similar to those of Afghan public schools and included teaching of the Koran.

Deploring the move, Mohammad Ismael, a father of three girls, said, "It is a shame." He said his daughters had found a "revived enthusiasm" in attending the institutions after the Taliban shut down their schools. But Qalamuddin said the Tahban authorities were working out a programme for female education. "We are not against education of girls, but its control is a must," he said.

### *Canada Ordered to Give Equal Pay to Women**

The Canadian Human Rights Commission ruled that women in Government service must receive pay increases, retroactive pay and interest finding that the civil service job classification system discriminates against women in "pink collar ghetto" jobs and violates the Canadian Human Rights Act. The award affects about 50,000 female employees now employed by the Canadian Government and 140,000 former workers who claimed their pay scales institutionalized discrimination against women. Nancy Riche, vice-president of the Canadian Labour Congress and an outspoken activist for pay equality for women, said the decision sends a strong message to private employers that wage discrimination is illegal in Canada. "It will give women more confidence to fight for equal pay for work of equal value. ... Not only does this decision send a message to the private sector to do the right thing. It sets out a mechanism to determine how to compare different kinds of work."

Michelle Felardeau-Ramsay, Chief Commissioner of the Human Rights Commission, praised the tribunal's decision and said she hoped it would be the "Final chapter in a long standing struggle for equality" by the government's lowest-paid workers, most of whom are women. "We are pleased that it finally closes the wage gap and acknowledges that these workers have been underpaid for years," she said.

### *Swedish Government Adopts Legislative Provisions and Measures to Counteract Violence Against Women*

Sweden is by many regarded as a society in which there is a relatively high degree of equality between women and men. This goes, for instance, concerning women's representation in Government (50 per cent), in Parliament (40 per cent), in county Councils (48 per cent) and in Municipalities (41 per cent). Swedish women also have a relatively high employment rate (70 per cent) and thereby good possibilities to support themselves. Both women and men have ample possibilities to combine employment with parental and household responsibilities.

In many areas, however, there is a considerable imbalance in the power relations between women and men. The most extreme example of such an imbalance is the occurrence of men's violence against women. Despite several measures, particularly in recent years, thousands of women in Sweden are subjected to violence. Over the last decade, the number of reported assaults and various forms of sexual offenses has increased markedly. Often, these offenses are committed by a man who has a close relationship to the woman concerned (domestic violence).

Violence against women is therefore an obstacle to the ongoing development towards equality between women and men. Violence against women is also a serious social problem. To take action against this form of criminality is thus a task, which has been declared by the government to be given priority in the criminal justice system. The

*Taken from an article by Mark Bourrie from the IPS Daily of 30 July 1998.

government's measures for action against violence against women, deals with a number of issues and entails three essential points of departure:

1. Legislation is to be further improved and made more rigorous;

2. Further preventive measures are to be undertaken; and

3. Women victims are to be dealt with in better ways than hitherto. The Government Bill 1997/98:55 was adopted in May of 1998. Some of the points therein include the following: the definition of rape has been widened to include other sexual acts comparable to forced sexual intercourse; neglecting to report certain sexual crimes (including exploitation of minors) is punishable; the purchase of sexual services is prohibited; and a strengthening of the provisions on sexual harrassment.

The government maintains a website on issues related to violence against women, <www.kvinnofrid.gov.se>. The website is administered by the Division for Equality Affairs at the Ministry of Labour. It contans mostly information in Swedish, but some materials in English, including a fact sheet can be found. ■

# INSTRAW *Highlights*

The INSTRAW programme budget for the biennium 1998-1999 was approved by the INSTRAW Board of Trustees at its 18th session, which took place at Headquarters in Santo Domingo from 27 April to 1 May 1998. Below is a brief description of the Research and Training activities that will be carried out during the biennium.

## Research:

Two analytical research sub-programmes, namely; *Engendering the Political Agenda* and *Temporary Labour Migration of Women*, are both comprehensive and multi-faceted. These two fundamental research sub-programmes of INSTRAW's biennial work programme, aim, on the one hand, to identify and quantify new trends affecting women's status in the political and economic spheres, and on the other hand, to capture the qualitative aspects of the complex processes at work. The issues addressed within the framework of the research projects such as empowerment, violence, human rights, health, women's life cycle –the girl child and the older women, institution building (national machineries and NGOs) are all in line with the critical areas of concern as per the Beijing Platform for Action. As such, it is expected to produce outputs that will contribute to policy making and mainstreaming gender.

### *Engendering the Political Agenda*

INSTRAW will conduct research using qualitative and quantitative methods to document the role of certain factors on

engendering the political agenda in selected countries to expand gender accountability. These factors include:

i. the national political context where male/female politicians in the government, parliament and political parties adopt alternative gender discourses;

ii. maturation of women's groups represented in civil society, i.e., women's NGOs and community-based organizations; and

iii. UN gender instruments and programmes aiming to implement the international gender agenda. It is assumed here that political empowerment is an ongoing process occurring at different levels of society and that the emergence of such an agenda both reflects and facilitates women's empowerment individually and collectively to achieve gender equality. Comparative case studies will be conducted through institutional consultancies in three selected countries in which there is preliminary evidence of diverse patterns of interaction among the identified variables resulting in different degrees of an engendered political agenda. Two countries will be selected on the basis of strong central state traditions where the state has historically dominated gender discourse and a country with a relatively strong civil society tradition. Although the study will aim to document all of the priority in the countries under study, the primary focus will be on the following critical issues;

i. all forms of violence against women;

ii. health; and

iii. the well-being of older women. The study will document and quantify the specific activities of women's NGOs and the UN regarding these critical areas, the degree to which these are reflected in national policies, action programmes and national budgets.

This study will look at the important political space represented by women's groups in civil society as voters, a political lobbying force and a voice for women's interests, which can be used to pressure governments and politicians to address gender issues and make them accountable. It will examine how UN instruments/programmes become translated into national politics and used by gender-sensitive politicians and civil society to expand the boundaries of political space for women. The study will identify the existing gender discourses in which identities of women are determined and examine how contradictory discourses interplay in determining priority areas for women in national politics. It is expected that the outputs of this research will generate qualitative and quantitative data to measure the interacting role of variables at the international, governmental and civil society levels on the process of engendering political agenda.

### *Temporary Labour Migration of Women*

INSTRAW will conduct research on the temporary labour migration of women, looking both at migrant women, as well as the families that remain behind. Special focus will be given to the process of reallocation of labour within the household and how gender roles and structures within the family are being transformed as a consequence of female migration. Particular attention will also be given to the issue of abuse and violence against migrant women, the vulnerability of girls during their mothers' absence and the issue of caring for older persons. Agreements between countries on the management of international migration will be analyzed in terms of the positive and negative implications that they have on migrant women, particularly in terms of violations to their human rights.

This Sub-programme will involve a two-pronged approach consisting of:

1. Compilation of a gender-disaggregated database on migrant women;

2. Exploratory field research aimed at depicting the impact of migration on women migrants and their families.

The first element of this Sub-programme involves compiling a gender-disaggregated database on migrants. INSTRAW will:

i. compile and assess existing data on the migration of women;

ii. typologize migration patterns of women;

iii. identify forms of violence migrant women are confronted with;

iv. determine the gaps in data; and

v. establish policy measures for conceptual and methodological improvements in documenting and collecting comparable data on migration of women, including violence against migrant women. The database will also be disaggregated by age in order to give adequate focus to the situation of older women and the girl child in the context of migration.

The second element involves a case study in a selected country in the Asian region from which there is a significant incidence of female labour out-migration. As the primary concern of this research study is to examine the effect that the migration of the principal woman in a household has on the families left behind and on gender roles and structures in the household, this field research will be conducted in the "sending" country. Research will examine how the prolonged and recurrent absence of women from their families, due to internal and international migration, affects the division of labour within the household, gender roles and structures and women's empowerment. Particular focus will be given to how the temporary labour migration of women affects:

a. the migrant woman herself,

b. children, particularly the girl child,

c. the older woman, and

d. the man. Pending the availability of extra-budgetary funds, research will also be conducted in one "receiving" country where the focus would be on the conditions that women migrant workers face and how the migration experience contributes to their empowerment and/or persistent gender discrimination, exploitation and violence.

This study will also examine how the migration of women is dealt with at the policy and political levels by different sectors in the countries selected for the case study. It will examine the role of the government, women's NGOs, women politicians, international regimes and others in advocating for change relating to the situation of migrant women. It will look at relevant international conventions and agreements on the management of international migration and the extent to which civil society is aware of them and uses them to pressure for change. The positive and negative aspects of those agreements will be analyzed from a gender perspective. Such analysis will be useful for the concerned governments so that women's concerns are reflected in the design of migration policies.

### *Database projects*

Two database projects: The first is an inventory of existing gender-training materials within the United Nations aiming to produce a user's guide for prospective gender trainers within and outside the United Nations system. The compilation of such a database was also accepted at the meeting of the Inter-agency Committee on Women and Gender Equality held in February 1998. The second database project is on water resource management, which falls within INSTRAW's established expertise in generating sex-disaggregated data and addresses an urgent area of concern for poor women, particularly in the African region.

### *Training*

INSTRAW's training sub-programmes for the current biennium represent a continuity of INSTRAW's previous training activities and are responses to specific requests made by Member States. One training seminar on environment will be carried out in the Solomon Islands. A training seminar on sex-disaggregated data will be organized in Mongolia. An additional training activity relates to INSTRAW collaboration with the Global Alliance Against Trafficking in Women (GAATW) in hosting a training seminar on Women's Human Rights, Trafficking and Migration (21-27 June 1998). ■

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# INSTRAW

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for the Advancement of Women

INSTRAW
**news**

The main purpose of INSTRAW News is to report on the work of the Institute and, in doing this, to record research trends, disseminate training materials, and promote networking on women in development issues at a global level. The editorial policy of INSTRAW is to select events, news and items linked with its programmes and related activities in order to stimulate the exchange of ideas. INSTRAW News is published in English, French and Spanish, with a circulation of 4,200 distributed to governmental and non-governmental organizations, research centres, women's groups and individuals in over 120 countries.

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